PRESERVED

(7)

49-49

App F IX 4

1949-50
(CM)

File No 49-49

Serial Nos
1 — 10

Previous References

CM 4-49 (6-8)

Later References

CM Dec P 19/53
CM 93-54-1-19 CM 13-55-12

GENERAL AND REVENUE SECRETARIAT

CM 34-56-1-9

LLH 1 CVP 5)

Serial Nos

P2 78-E

Part B for Dec '49

SUBJECT

Formation of The Corporation of
the city of Belleville

(L5318, L5319, L5320, L5321, L5322, L5323 and L5324
of 2 12 1949)

The Comptroller,
Re Some Gazette.

8/11 Bloc Corporation

14/11/17

G O No 4991/2/CR 4-49-7 dt 17

Elections Election Expenditure GHMC 2009

Elections and Election Expenditure

The Note relating to the G O is separately recorded 27/2/50

The Standard Note and Slip Collector Central

To

The Standard Note and Slip Bloc

4991/2/CR 4-49-8 dt 17 Nov 09

calls for proposals as regards the

Above

The Standard Note and Slip

and Covering

A/V - 1354/48 dated

Regarding the proposals called for

(2) The President Principal Secretary Municipal Corporation Bloc has doubts whether 9th Draft notifications will be issued for the purpose of Election Expenditure Limits to effect the civic Corporation

Constitution of the Bdre Corporation

notifications as explained in the accompanying note

13) The Dft notifications were examined and the following note thereon is put up for consideration and orders —

Dft notification changing the Corporation Act into force

14) This notification has to be issued under Sec 436(1) of the Corporation Act on the Dft it is purported to be issued under Sec 436 and not under the Subsec

It will be seen under sec 436(1) of the Act for

Dft 2 The Bangalore Corporation Transitional provisions order, with the Schedule

15) The Corporation Act is brought into force in accordance with draft 1 where it recites that the Transitional provisions order is to be issued under the Corporation Act after it is brought into force under Dft 1 Hence in this Contest, Act can only mean Cols of Bdre Corporation Act 1976 the reference appears in the order may be superfluous

This is necessary in order to clearly the position maybe retained for

16) The order, appears pursuant to the power conferred by these Cols depends on the Corporation Act ceasing to exist as such this need for such repetition is for consideration

Do for

17) The Schedule of this order declare

Serial No

prepared in 3 different parts

part I Rules issued under the Bangalore city Municipalities Act and the B.M. Law which will be applicable to the entire city as constituted under the Corporation Act

part II Rules to be issued under the city Municipalities Act which will be in force in Bangalore city only as at present Constituted

part III Rules etc issued under the B'lore Municipal Law which will be in force in the civil Stn as at present Constituted

(18) In part I Rules relating to the collection of taxes etc under the B.M. Law as applicable to the entire area in the parties of the Corporation Act The Rate of this duty in the civil Stn area is 2/ while in the city it is only 1/ The application of the city may not be feasible and the Rules in force in the city may have perhaps to continue during the transition period The deletion in part I and inclusion in part II is however shown in part III also as Serial 38

(19) In part II the Levy of Octroi is included. The Corporation Act does not contemplate the Levy of Octroi though similar as specified in Sec 97 of the Corporation Act though

As there is a little overlap on the matter of municipal purposes, it is necessary to keep the two laws separately & apply them as such till the corporation is actually constituted for 1 + 50 Octroi can be made under sec 97(9) of the Act

RE—Contn Sheet

Constitution of the Bilston Corporation

File No of 19 | General and Revenue Secretariat

Serial No

The Circuit tax is defined to exclude any Local Rate, Cess Fee or other Imposition Leviable under this Act.

2(2) Tolls may therefore be levied under cl (h) of Sec 9) and this tax thus may perhaps prevent the issue of a notification to the effect that any other tax excludes Tolls also when the objection for this levy is perhaps removed

Tolls is not specifically one of the taxes listed under Sec 97 of Act. Should unless specifically be otherwise provided in Act or any other Act and hence doubt to clarify matter to make clear

Noted

Draft 5 Notification excluding the Police areas from the operation of this Act

21) In this Corporation Act the city of Bilston is defined to mean the area comprised in the Bilston City Police District under the Police & Police Act and the civil state Bilston as constituted under the B N Law Since the Police areas and the Judicial constituted of Sessions are excluded from the purview of the B N Law these areas are according to the above definition, automatically excluded from the purview of the Corporation Act also Hence the need for the issue of this notification is for consideration

This demands to do this specifically as to exclude the Police areas from the purview of the Act for

Draft 6 Rules for the election of Mayor, Standing Committees, etc

22) These Rules have to be issued under Sec 68(1) of this Act and not perhaps under Sec 39

Sec 68(1) maybe misprint, as the Govt have to frame the rules

This may come to force 3 months after the issue of the notification

Constitution of the Bdre Corporation

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

Draft notification prescribing Rules for the Conduct of Business at the meetings of the Council

23) The Act empowers the Corporation to issue supplementary Rules in this behalf under Sec 33 Since the Corporation not having yet been Constituted can issue these Rules under the reference provisions it may perhaps be desirable to issue them under Sec 439 read with Sec 33 of the Corporation Act

This may be done for Gen 22/11/69

24) Notifications of Govt referred to in para 9 of the note enclosed to the provisional Rules (P & O) are annexed to the draft Separately

25) The Law Secretary may also be Consulted on the Constitutionality of the draft notifications draft to the proceedings Misc cases for adoption

Reg 21/11/69 The rules & notifications proposed have been gone thro They are found to be abridgement, subject to the observations made above

Draft Rule no 5 provides

NOTE—Contn Sheet

Constitution of Bloemfontein

File No 5319/NW 2811/dl 866/9 L

of 194

General and Revenue Secretariat

Serial No

for the auditing of accounts in the respective areas of jurisdiction Should up for the date of inauguration of the Corporation i.e. 1.12.49

Some arrangement will have to be made for auditing the accounts of the Corporation from 1.12.49 onwards under Sec 148 of the Corporation Act first will have to appoint the Auditors It would be necessary to appoint an Asst Comptroller with the necessary staff for this purpose ~~with~~ in consultation with the Comptroller to fix A note appointing him as an Auditor will have to issue under Sec 148 This may perhaps be considered after the notifications are received and issued

This may be considered later dcn

We Law Secy may be consulted on the two proposals

~~not necessary~~ the Asst Comptroller

Secy Adm 21/11/49

For favour of perusing & the notifications & return in two days Your Secy dcn 22/11/49

OFC

REGISTRY OF LEGISLATION BRANCH No 3-3-11-cg Date 23-11-49

Dat 8086 22/11

SFC 3638 22 NOV 1949

OF MYS 28/11 SMKN 9 mas 23 11 cg

WD 06071—GPB—25 000—20-6-49

Serial No

There are eight Drafts for scrutiny

Draft 1 may issue as modified

Draft 2

The draft as revised is for Consideration New clauses 4 and 5 may have been inserted for clause 4 The Annexure to item No 1 of Part I of the Schedule should be annexed to Part I It is presumed the bye-laws etc, in the Schedule have been scrutinised by the Administrative Sectt

Draft 3

There does not appear to be any provision in the Corporation Act, under which any specific buildings can be excluded from the operation of the Act and Section 437 and 439 read with clause (9) of Section 3 do not confer such powers Therefore this notification is not in order

Draft 4(a)

Section 7 does not contemplate the appointment of the Commissioner by means of any notification There is however no legal objection for the issue of the proposed notification

Draft 4(b)

This may issue as modified

Draft 5

This is returned for Consideration later by the administrative Sectt (Vide order of the Secretary in this portion.

NOTE—Contn Sheet

Serial No

Therefore it need not issue

Draft 6

the draft as modified may issue

Draft-7

The Draft as modified may issue

Draft 8

-There is non-provision in the Act for replacing the place of the municipal office Therefore, the issue of such a notification does not appear to be legally necessary permissible

Copy of the Rule circulated Dy 28/11/17

MGR 26/11

Dy Secy (Law Dept) 26/11/17

Mas 26/11/17

As directed in person by the Law Secretary, the draft Rules annexed to draft notification Nos 6 and 7 have been gone through and verbal corrections made in appropriate places Since there is no mention of a Council in the Corporation Act, the expression has been altered to 'corporation' as in the Act Rule 11 of Draft 7 provides that the business of the Corporation should be transacted in English although a member who is not well conversant with English may be permitted by the Mayor to speak in any recognised language of the State Presumably the Administrative Secty.

The rule is thus modified providing for the use of both English & Kannada

Serial No

It is modified in the Draft

No 3818
Date 29/11/49

have considered the full implications of this rule

Drafts 5 as modified is for consideration

Draft 8 has also been scrutinised as directed

According to sub section (1) of section 373 every rule and bye-law made under the Act should be published in the offical Gazette in English and in Kannada It seems therefore desirable to publish the proposed orders and notifications both in English and Kannada

Mas 29/11/49 Asst for Law 1884 29/11/49

Govt Secy MC 29/11 1884 1/12/49 1/12

Orders according to the Draft rule issue in English now and in Kannada shortly afterwards

Minr for Municipality 1/12/49

The Chief Minr has seen and approves Issue letter to Dir of Printing to supply the orders in a Gazettee Extraordinary on 5-12-49

29/11/49

Note—Contn Sheet

File No 3319/ml of 1947-50

General and Secretariat

Serial No

To

The Compiler Rays gazette, Bhe

no L 5324 dated 2 12 49

Requests the publication of the

Notifications as a gazette extra-ordinary

issue on the 5th December '49

B

25/1/50

B

A 1-1354/48 Office of the Municipal Commission,
use- one ink and Civil Station, Bangalore,
and one set of dated the 17th November 1949.
om photographs

The President, Municipal Commission,
Civil Station,
and
The Municipal Commissioner,
City Municipality,
B A N G A L O R E.

To

The Secretary to the
Government of His Highness the Maharaja of Mysore,
General Department, B A N G A L O R E

Sir,

Subject.- Formation of the Bangalore
Municipal Corporation.

17/11/49

We enclose a note forwarding the following draft notifications connected with the formation of the interim Corporation of Bangalore. -

18/11/49

1. Notification bringing the Corporation Act into force
2. The Bangalore Corporation Transitional Provisions Order, with the Schedule
3. Notification excluding military areas from the operation of Act.
4. Notifications appointing -
   (a) The Commissioner.
   (b) The Health Officer, Executive Engineer and Revenue Officer.
5. Notification appointing the Auditors.
6. Notification prescribing
   (a) Rules for the election of the Mayor or the Deputy Mayor.
   (b) Rules for the election of members of Standing Committees.
   (b) Rules for the election of chairmen of Standing Committees.
7. Notification prescribing rules for the conduct of business at meetings of the Council.
8. Notification declaring that Mayo Hall shall be the Municipal Office for the purpose of holding the Corporation Meetings.

2 Draft notifications No (9) to (11) referred to in par of the note, as well as proposals for the absorption of the st will be forwarded to Government at a very early date.

Yours faithfully,-

Commissioner, 17/11
City Municipality,
Bangalore

President, 17/11
Municipal Commission,
Civil Station, Bangalore

Note on the action to be taken on the coming into force of the City of Bangalore Municipal Corporation Act, 1949.

At the conference held at Mysore, the Minister for City Municipalities, had directed us to prepare the necessary draft notifications to be issued by the Government on the coming into force of the City of Bangalore Municipal Corporation Act, 1949. The following notifications have accordingly to be issued

(1) Notification bringing the Corporation Act into force.

(2) The Bangalore Corporation Transitional Provisions Order, with the Schedule.

(3) Notification excluding military areas from the operation of the Act.

(4) Notifications appointing -

(a) The Commissioner.

(b) The Health Officer, Executive Engineer and Revenue Officer.

(5) Notification appointing the Auditors.

(6) Notification prescribing

(a) Rules for the election of the Mayor or the Deputy Mayor.

(b) Rules for the election of members of Standing Committees.

(c) Rules for the election of chairmen of Standing Committees.

(7) Notification prescribing rules for the conduct of business at meetings of the Council.

(8) Notification declaring that Mayo Hall shall be the Municipal Office for the purpose of holding the Corporation meetings.

(9) Notification fixing the term of the members of the interim Corporation.

(10) Notification fixing the boundaries of the 50 electoral divisions.

(11) Election Rules

2. Draft notifications in respect of items (1) to (8) are enclosed herewith. The other draft notifications will follow at a very early date.

3. The above draft notifications except items No.(10) and (11) have been prepared with the primary object to provide the working of the corporation during the interim period. Comprehensive rules will have to be framed by the appropri

authorities after the Act comes into force to provide for the administration of the full fledged corporation The present draft notifications are therefore designed only to fill the gap until more elaborate rules are framed in due course. The transitional provisions contained in sections 437 and 439 have therefore been invoked in respect of the draft notifications Nos 1 to 9.

4. The salient features of the draft notifications are examined below seriatim

5. Draft (1). This will be the first notification to issue.

6. Draft (2) Transitional Provisions Order

This is the most important among the draft notifications. It is desirable that during the interim period there should be least dislocation to the civic administration of Bangalore. It is therefore proposed that during the transitional period, which expression is defined in the order, the most important bye-laws and rules framed under the City Municipalities Act and the Bangalore Municipal Law, should continue to be in force until fresh provisions are made by the competent authorities under the Corporation Act. There is also the time lag involved in the Corporation passing its own bye-laws and rules as the formalities prescribed in section 367 such as previous publication etc., will have to be observed The only practicable course would therefore be to continue the status quo in regard to bye-laws and rules framed under the respective municipal laws subject to suitable modifications. Such a procedure is consistent with the provisions of the Act vide the proviso to section 437 (1) read with section 439 (b). One significant feature of the draft order is that under the scheme proposed above, the existing structure and rates of taxation in force in the City and Civil Station would continue to be in force until revised by the Corporation in accordance with sections 97 and 98.

7. Having regard to the general principles mentioned above, the schedule to the Transitional Provisions Order has been divided into three parts as follows

Part I. - Rules etc., issued under the Mysore City Municipalities Act and the Bangalore Municipal Law, which will be applicable to the entire City of Bangalore as constituted under the Corporation Act.

(a) Rules etc., issued under the Mysore City Municipalities Act.

(b) Rules etc , issued under the Bangalore Municipal Law.

Part II - Rules etc, issued under the City Municipalities Act which will be in force only in Bangalore City as at present constituted.

Part III - Rules etc, issued under the Bangalore Municipal Law which will be in force only in the Civil Station as at present constituted.

8. It may be mentioned that in view of section 437 and 439 the draft order can provide for the continuance during the transition period of only the rules, bye-laws etc, issued under the City Municipalities Act and the Bangalore Municipal Law. Other rules etc, not coming under the ambit of these two enactments e.g, Hackney Carriage Rules, Food Adulteration Rules, etc., cannot therefore be included in the scope of the order as they are issued under separate enactments, which will continue in the respective areas as the coming into force of the Corporation Act does not affect the continued operation of such Acts as Hackney Carriage Act, Food Adulteration Act, etc.

9. One important change in the administrative set up of the corporation even during the interim period is the abolition of the internal ookads. The revised annexure to the Octroi Bye-laws - vide item 1 of Part I-A of the Schedule to the draft Transitional Provisions Order - makes necessary provision in this regard.

10. It will be noticed that clause 6 of the draft order provides for the continuance of the staff of both the Municipalities until the corporation sanctions its establishment schedule. The words "subject to the special orders, if any, issued by the Government" occurring in clause 6 give ample powers to the Government to make suitable changes in the administrative machinery until the corporation sanctions its establishmen

Proposals in regard to the absorption of staff will follow.

11. Similarly clause 8 provides for the continuance until fresh budgets are framed of the budgets for 1949 - 50 sanctioned by the respective bodies.

12. Clause 7 provides for the disposal of pending cases. There are several matters arising out of Municipal administration which are at present subject to the jurisdiction of courts, e.g, section 143 of the Bangalore Municipal Law. There is no corresponding provision in the Corporation Act and it is only fair that pending cases are disposed of under the respective laws in force prior to the coming into force of the Corporation Act. An exception is however proposed in respect of taxation appeals. Under the Bangalore Municipal Law any person aggrieved regarding assessment matters may appeal to a committee consisting of the President and 2 members of the Commission and the Law provides for a further appeal to the Court of the 1st Class Magistrate. Under the Corporation Act as it stands the final authority is the Commissioner so far as property taxation appeals are concerned and it seems that the simplest course would be to adopt during the transitional period the procedure prescribed under the Act in respect of such appeals, pending on the date of the formation of the Corporation.

13. Draft (3). - Notification excluding military areas

At present the military areas are excluded from the purview of the Bangalore Municipal Law and it is necessary that the same arrangement should continue. The military personnel and their relations who will be residing in military areas will not be eligible for inclusion in the voters list under preparation

14 Similarly the Indian Institute of Science area will also be excluded from the scope of the Act as at present neither the City Municipalities Act nor the Bangalore Municipal Law applies to that area.

15. Drafts (4) and (5) - Appointment of Commissioner etc.

These call for no remarks.

16 Drafts (6) and (7). - Rules for election of Mayor, etc

and for holding the Corporation meetings. The rules of the Madras Corporation have been adopted as they are more comprehensive than the existing rules in force in City or Civil Station

17. Since Schedule II to the Act contains certain provisions regulating the meetings of the corporation the rules for the interim period can only be supplementary to those contained in Schedule II - vide the wording of section 33. Schedule II is based on the rules of the Madras Corporation but are not sufficiently exhaustive. The framing of self contained and comprehensive rules by the Government at the present stage would not be practicable as it will involve substituting a fresh schedule after cancelling Schedule II. The Corporation will therefore have to carry on with Schedule II read with the supplementary provisions now proposed and in due course the Government will have to make self contained rules after cancellin Schedule II under section 365 (3).

18 Draft (8) - Notification declaring that Mayo Hall shal be the place for holding meetings.

This is necessary to overcome the legal difficulty caused by the fact tnat there will be more than one municipal office for the corporation and the wording of para 2 of Schedule II read with the definition in section 3 (22) seems to make it necessary that there should be a notification by the Government under section 439 overcoming the difficulty. As soon as possible after the Act comes into force, it may be necessary to make suitable amendments in order to make the position perfectly legal.

17/11

17/11

President, Municipal Commission
Civil Station,
and
Municipal Commissioner,
City Municipality, Bangalore

Draft 1

L. 5818 C.M. 49-49-1

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

2/12/49

NOTIFICATION.

DATED

NO.

In exercise of the powers conferred by sub-section (1) of section 436 of the City of Bangalore Municipal Corporation Act 1949, (LXIX of 1949), the Government of His Highness the Maharaja of Mysore are pleased to appoint the 8th day of December, 1949, as the date on which the said Act shall come into force ~~on the 8 December 1949~~

B-O

SECRETARY TO ~~THE~~ GOVERNMENT,
GENERAL DEPARTMENT.

Draft 2 L 5319/C.M.49-49-2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

2/12/49

Notification

No. date

WHEREAS it is expedient to make provision for the working of the ~~interim~~ Corporation of the City of Bangalore from the date of ~~the~~ coming into force of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949); ~~to the date of the constitution of a corporation in accordance with the provisions of section 5 of the said Act;~~

NOW, THEREFORE, in exercise of the powers conferred by sections 437 and 439 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), read with section His Highness the Maharaja of the Government of ~~Mysore~~ are pleased to make the following Order

1. This order may be called the ~~Bangalore~~ Municipal Corporation (Transitional Provisions) Order, 1949.

2. It shall come into force on the ~~8~~ eighth day of December 1949, which day is hereinafter referred to as the "appointed day".

3. In this order, unless there is anything repugnant in the subject or context, -

(1) "Act" or "Corporation Act" means the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949);

(2) "City of Bangalore" means the area ~~comprising the limits of the Bangalore City Municipality as constituted under section 4 of the Mysore City Municipalities Act, 1933,~~ and the area comprising the Civil Station of Bangalore ~~as~~ declared under section 4 of the Bangalore Municipal Law, 1897.

Comprised in the City of Bangalore as defined in clause (9) of Section 3 of the Act;

(3) "Bangalore City" means the area ~~comprising~~ comprised within the limits of the Bangalore City

Municipality as constituted under section 4 of the Mysore City Municipalities Act, 1933, immediately before the appointed day,

(4) "Civil Station of Bangalore" means the ~~area declared under section 4 of the Bangalore Municipal Law, 1897.~~ comprised within the limits of the Municipal Commission, Civil Station of Bangalore immediately prior to the appointed day;

(5) "Transitional period" means the period ~~from~~ the date of the coming into force of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949) and the date of the constitution of a corporation in accordance with the provisions of section 5 of the ~~said~~ Act.

4. (1) During the transitional period, only such rules, orders, bye-laws or notifications as are issued under the Mysore City Municipalities Act, 1933, or the Bangalore Municipal Law, 1897, and detailed in the Schedule to this order shall be applicable to the City of Bangalore or any specified part thereof, namely Bangalore City or the Civil Station of Bangalore, as the case may be, subject to the restrictions, adaptations or modifications, if any, specified in the Schedule, and the provisions of this Order.

(2) Notwithstanding anything contained in sub-clause (1) ~~the corporation~~ any competent authority may, during the transitional period, amend or repeal any of the rules, orders, bye-laws or notifications specified in the Schedule or issue fresh rules, orders, bye-laus or notifications, in conformity with the procedure laid down in the Act.

6. ~~5.~~ The rules, orders, ~~bye-laws or~~ bye-laws and notifications ~~declared to be applicable by this~~ referred to in clause 4 of this Order shall, except where the context otherwise requires and except in the restrictions, modifications and adaptations referred to in

as Constituted under the Bangalore Municipal Law, 1897

Subject to the provisions Section 437 of the Act and clause 5 of this Order, as from the appointed day all rules, bye-laws, orders and notifications made or issued and in force in the City of Bangalore or any part thereof shall, until superseded altered or amended in accordance with the provisions of the Act, be subject to the modifications directed in clause 6 of this Order

5 The rules, orders bye laws and notifications specified in the Schedule to this Order shall until superseded, altered or amended in accordance with the provisions of the Act have effect subject to the adaptations and modifications directed in the Schedule and by clause 6 of this Order

clause 5 of the Order, be construed as if references therein to the authorities mentioned in the first column of the following table were references to the authorities mentioned opposite thereto in the second column of the said table, -

Municipal Council or Municipal Commission (Table)	Corporation
President, wherever the term occurs in any rule, order, bye-law or notification issued under the Mysore City Municipalities Act, 1933 so far as it relates to Bangalore City.	Mayor
President, wherever the term occurs in any rule, order, bye-law or notification issued under the Bangalore Municipal Law, 1897	Commissioner
Vice-President.	Deputy Mayor.
Commissioner or Municipal Commissioner, wherever the term occurs in any rule, order, bye-law or notification issued under the Bangalore Municipal Law.	Councillor
Committees constituted under the Mysore City Municipalities Act, 1933 or the Bangalore Municipal Law, 1897 and referred to in the rules, orders, bye-laws and notifications specified in the Schedule.	Corresponding committees under the City of Bangalore Municipal Corporation Act, 1949

7. Subject to special orders, if any, issued by the Government in this behalf, the ~~staff~~ personnel who on the appointed day were borne on the establishment list of the Bangalore City Municipality and the Municipal Commission, Civil Station, Bangalore, are hereby authorised to continue to carry on, on behalf of the corporation, the services and activities previously carried on by them on behalf of the said bodies:

Provided that any member of the ~~staff~~ establishment authorised under this clause or under any

special orders of the Government shall continue to hold office and to exercise ~~their~~ his respective powers, pending the sanction of the schedule of establishment ~~schedule~~ by the Corporation under section 90 of the Act.

8. Any suit, ~~trial~~, appeal or proceeding pending in any court or before any authority under the Mysore City Municipalities Act 1933, or the Bangalore Municipal Law, 1897, on the appointed day shall, ~~notwithstanding anything contained in the Corporation Act,~~ be disposed of by the court or authority before which it is pending under the respective laws governing such suits, ~~enquiries, trials~~ possession or proceedings, before the appointed day.

(Provided that, in the case of any property taxation appeals which are instituted but not disposed of, the provisions of the ~~Corporation~~ Act will apply to the disposal of those cases.)

9. The budgets of the Bangalore City Municipal Council and the Bangalore Civil Station Municipal Commission, for the year 1949 - 50, as approved by the respective bodies shall continue to be in force ~~during the transitional period, or~~ until such time as a fresh budget is sanctioned under the provisions of the ~~Corporation~~ Act.

A. O

SECRETARY TO THE GOVERNMENT,
GENERAL DEPARTMENT.

Draft.

17/11

President, Municipal Commission,
Civil Station,
and
Commissioner, City Municipalit

Draft 3 L 5328 CM. 49.49-3

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

Notification.

2/12/49

No. Dated

In exercise of the powers conferred by sections 437 and 439 read with clause (9) of section 3 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), the Government of His Highness the Maharaja of Mysore are pleased to declare [illegible] the said Act, shall not apply to the military buildings and lands in the Civil Station of Bangalore to which on the day prior to the date of the coming into force of the Act, the provisions of the Bangalore Municipal Law, 1897, were not applicable.

SECRETARY TO THE GOVERNMENT
GENERAL DEPARTMENT.

17 11 49

Draft

Notification

L 5320 P.M. 49-49-3 2/12/49

In exercise of the powers conferred by clause (9) of section 3 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to direct that the area of the City of Bangalore shall as from the eighth day of December, 1949, comprise the areas included immediately prior to the eight day of December, 1949, within the limits of the Bangalore City Municipality constituted under the Mysore City Municipalities Act, 1933, and within the limits of the Municipal Commission of the Civil Station of Bangalore constituted under the Bangalore Municipal Laws, 1897, excluding from the said limits the areas specified in the schedule to this notification

Schedule

Draft of 5321/CR.49-49-4

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

NOTIFICATION.

No. dated,

In exercise of the powers conferred by section 439 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), the Government of His Highness the Maharaja of Mysore, are pleased to make the following rules ~~-~~ Regulating the procedure for the

(1) ~~Rules for the~~ election of the Mayor or the Deputy Mayor,

(2) ~~Rules for~~ the election of members of Standing Committees, and

(3) ~~Rules for~~ the election of Chairmen of Standing Committees, as set forth in the Schedule hereto.

2. ~~These rules shall have effect until fresh~~ rules are made by ~~the~~ competent authority in accordance with the provisions of the City of Bangalore Municipal Corporation Act, 1949.

By Order,

GENERAL SECRETARY TO THE GOVERNMENT

I.

Rules for the election of the Mayor or the Deputy Mayor of the ~~Council~~ Corporation

1 ~~Every candidate for election as Mayor or Deputy Mayor shall be proposed by one councillor and seconded by another councillor at the meeting held for the purpose~~ The names of all the candidates proposed and seconded shall be read out by the ~~Mayor or in his absence by the Deputy Mayor, or in the absence of both the Mayor and the Deputy Mayor, by the presiding councillor~~ person presiding at the meeting and the votes of the councillors present at the meeting shall then be taken by ballot. The Commissioner shall make adequate arrangements for securing the privacy of the ballot.

2. Every councillor wishing to vote shall be supplied with a voting paper on which the names of all the candidates shall be printed, typed, or legibly written in the fo

At a meeting of the Corporation held for the purpose of election the Mayor or Deputy Mayor, any Councillor may nominate another Councillor for election by delivering to the person presiding at the meeting a nomination paper signed by himself as proposer and a third councillor as seconder, and stating —

(a) the name of the Councillor nominated, and

(b) that the proposer has ascertained that such Councillor is willing to serve as Mayor or Deputy Mayor, as the case may be, if elected

(13) Draft 8. 5323/ C.M 49-49-6

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

NOTIFICATION.

No. ~~C.M. 49-49-2~~ Dated, 2/12/49

In exercise of the powers conferred by section 439 read with clause (22) of section 3 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), ~~read with rule 2 of Schedule II to the said Act,~~ the Government of His Highness the Maharaja ~~of Mysore,~~ are pleased to ~~declare that Mayo Hall on Mahatma Gandhi Road, shall be the municipal office for holding the meetings of the Corporation.~~ order that the principal office of the Corporation shall be at Mayo Hall, Mahatma Gandhi Road, Bangalore

1/12

General Secretary to the Government

A 5324/2/12/49

C17

~~C 1911~~ 49-49-1

To

The Compiler, Mysore Gazette

Bangalore

Sir,

In pursuance thereto

Let y notifications issued under

the act of 49 have M/s Stock Exchange

relating to the incorporation of the

said corporation and directors

requesting you to have the same arranged

to be published in Mysore Gazette

and issued on the 5th inst positively

After more notifications will be

sent forward. and they may also

arranged to ~~be~~ in Extraordinary

in the said Gazette

No matter may be kindly

arrangements to be given priority and attended to without any delay

250 copies of the Gazette containing my speech supplied to the Mt Bruce..

I am Secretary

Yours faithfully

Jas Fulsegthorpe

L 5324/ 2/12/49

The

General Department, Bangalore.

To

The Compiler,
Mysore Gazette,
Bangalore.

Sir,

In forwarding herewith a set of notifications issued under the City of Bangalore Municipal Corporation Act, 1949, relating to the inauguration of the said Corporation, I am directed to request you to have the same arranged to be published in a Gazette Extraordinary and issued on the 5th instant positively A few more notifications will be sent tomorrow and they may also be arranged to get incorporated in the said Gazette.

The matter may be kindly arranged to be given priority and attended to without any delay.

No. A 1-1354/48 Office of the Municipal Commission,
Civil Station, Bangalore,
dated the 17th November 1949.

Revenue - One rough and one set of 8 notifications

From

The President, Municipal Commission,
Civil Station,
and
The Municipal Commissioner,
City Municipality,
BANGALORE.

Duplicate copy

To

The Secretary to the
Government of His Highness the Maharaja of Mysore,
Gereral Department, BANGALORE.

Sir,

Subject:- Formation of the Bangalore Municipal Corporation.

We enclose a note forwarding the following draft notifications connected with the formation of the interim Corporation of Bangalore. -

1. Notification bringing the Corporation Act into force.
2. The Bangalore Corporation Transitional Provisions Order, with the Schedule.
3. Notification excluding military areas from the operation of Act.
4. Notifications appointing
   (a) The Commissioner.
   (b) The Health Officer, Executive Engineer and Revenue Officer.
5. Notification appointing the Auditors.
6. Notification prescribing :
   (a) Rules for the election of the Mayor or the Deputy Mayor.
   (b) Rules for the election of members of Standing Committees.
   (b) Rules for the election of chairmen of Standing Committees.
7. Notification prescribing rules for the conduct of business at meetings of the Council.
8. Notification declaring that Mayo Hall shall be the Municipal Office for the purpose of holding the Corporation Meetings.

2. Draft notifications No.(9) to (11) referred to in para 1 of the note, as well as proposals for the absorption of the staff will be forwarded to Government at a very early date.

Yours faithfully,

Commissioner, 17/11
City Municipality,
Bangalore.

President, 17.11
Municipal Commission,
Civil Station, Bangalore.

Note on the action to be taken on the coming into force of the City of Bangalore Municipal Corporation Act, 1949.

At the conference held at Mysore, the Minister for City Municipalities, had directed us to prepare the necessary draft notifications to be issued by the Government on the coming into force of the City of Bangalore Municipal Corporation Act, 1949. The following notifications have accordingly to be issued :-

(1) Notification bringing the Corporation Act into force.

(2) The Bangalore Corporation Transitional Provisions Order, with the Schedule.

(3) Notification excluding military areas from the operation of the Act.

(4) Notifications appointing -

(a) The Commissioner.

(b) The Health Officer, Executive Enginser and Revenue Officer.

(5) Notification appointing the Auditors.

(6) Notification prescribing :

(a) Rules for the election of the Mayor or the Deputy Mayor.

(b) Rules for the election of members of Standing Committees.

(c) Rules for the election of chairmen of Standing Committees.

(7) Notification prescribing rules for the conduct of business at meetings of the Council.

(8) Notification declaring that Mayo Hall shall be the Municipal Office for the purpose of holding the Corporation meetings.

(9) Notification fixing the term of the members of the interim Corporation.

(10) Notification fixing the boundaries of the 50 electoral divisions.

(11) Election Rules.

2. Draft notifications in respect of items (1) to (8) are enclosed herewith. The other draft notifications will follow at a very early date.

3. The above draft notifications except items No.(10) and (11) have been prepared with the primary object to provide for the working of the corporation during the interim period. Comprehensive rules will have to be framed by the appropriate

authorities after the Act comes into force to provide for the administration of the full fledged corporation. The present draft notifications are therefore designed only to fill the gap until more elaborate rules are framed in due course. The transitional provisions contained in sections 437 and 439 have therefore been invoked in respect of the draft notifications Nos.1 to 9.

4. The salient features of the draft notifications are examined below seriatim :-

5. Draft (1). This will be the first notification to issue

6. Draft (2). Transitional Provisions Order. -

This is the most important among the draft notifications. It is desirable that during the interim period there should be least dislocation to the civic administration of Bangalore. It is therefore proposed that during the transitional period, which expression is defined in the order, the most important bye-laws and rules framed under the City Municipalities Act and the Bangalore Municipal Law, should continue to be in force until fresh provisions are made by the competent authorities under the Corporation Act. There is also the time lag involved in the Corporation passing its own bye-laws and rules as the formalities prescribed in section 367 such as previous publication etc., will have to be observed. The only practicable course would therefore be to continue the status quo in regard to bye-laws and rules framed under the respective municipal laws subject to suitable modifications. Such a procedure is consistent with the provisions of the Act - vide the proviso to section 437 (1) read with section 439 (b). One significant feature of the draft order is that under the scheme proposed above, the existing structure and rates of taxation in force in the City and Civil Station would continue to be in force until revised by the Corporation in accordance with sections 97 and 98.

7. Having regard to the general principles mentioned above, the schedule to the Transitional Provisions Order has been divided into three parts as follows .-

Part I. - Rules etc., issued under the Mysore City Municipalities Act and the Bangalore Municipal Law, which will be applicable to the entire City of Bangalore as constituted under the Corporation Act.

(a) Rules etc., issued under the Mysore City Municipalities Act.

(b) Rules etc., issued under the Bangalore Municipal Law.

Part II - Rules etc, issued under the City Municipalities Act which will be in force only in Bangalore City as at present constituted.

Part III - Rules etc, issued under the Bangalore Municipal Law which will be in force only in the Civil Station as at present constituted.

8. It may be mentioned that in view of section 437 and 439 the draft order can provide for the continuance during the transition period of only the rules, bye-laws etc, issued under the City Municipalities Act and the Bangalore Municipal Law. Other rules etc, not coming under the ambit of these two enactments e.g, Hackney Carriage Rules, Food Adulteration Rules, etc., cannot therefore be included in the scope of the order as they are issued under separate enactments, which will continue in the respective areas as the coming into force of the Corporation Act does not affect the continued operation of such Acts as Hackney Carriage Act, Food Adulteration Act, etc.

9. One important change in the administrative set up of the corporation even during the interim period is the abolition of the internal ookads. The revised annexure to the Octroi Bye-laws - vide item 1 of Part I-A of the Schedule to the draft Transitional Provisions Order - makes necessary provision in this regard.

10. It will be noticed that clause 6 of the draft order provides for the continuance of the staff of both the Municipalities until the corporation sanctions its establishment schedule. The words "subject to the special orders, if any, issued by the Government" occurring in clause 6 give ample powers to the Government to make suitable changes in the administrative machinery until the corporation sanctions its establishment.

Proposals in regard to the absorption of staff will follow.

11. Similarly clause 8 provides for the continuance until fresh budgets are framed of the budgets for 1949 - 50 sanctioned by the respective bodies.

12. Clause 7 provides for the disposal of pending cases. There are several matters arising out of Municipal administration which are at present subject to the jurisdiction of courts, e.g, section 143 of the Bangalore Municipal Law. There is no corresponding provision in the Corporation Act and it is only fair that pending cases are disposed of under the respective laws in force prior to the coming into force of the Corporation Act. An exception is however proposed in respect of taxation appeals. Under the Bangalore Municipal Law any person aggrieved regarding assessment matters may appeal to a committee consisting of the President and 2 members of the Commission and the Law provides for a further appeal to the Court of the 1st Class Magistrate. Under the Corporation Act as it stands the final authority is the Commissioner so far as property taxation appeals are concerned and it seems that the simplest course would be to adopt during the transitional period the procedure prescribed under the Act in respect of such appeals, pending on the date of the formation of the Corporation.

13. Draft (3). - Notification excluding military areas.

At present the military areas are excluded from the purview of the Bangalore Municipal Law and it is necessary that the same arrangement should continue. The military personnel and their relations who will be residing in military areas will no be eligible for inclusion in the voters list under preparation.

14. Similarly the Indian Institute of Science area will also be excluded from the scope of the Act as at present neither the City Municipalities Act nor the Bangalore Municipal Law applies to that area.

15. Drafts (4) and (5). - Appointment of Commissioner etc.

These call for no remarks.

16. Drafts (6) and (7). - Rules for election of Mayor, etc.

and for holding the Corporation meetings. The rules of the Madras Corporation have been adopted as they are more comprehensive than the existing rules in force in City or Civil Station.

17. Since Schedule II to the Act contains certain provisions regulating the meetings of the corporation the rules for the interim period can only be supplementary to those contained in Schedule II - vide the wording of section 33. Schedule II is based on the rules of the Madras Corporation but are not sufficiently exhaustive. The framing of self contained and comprehensive rules by the Government at the present stage would not be practicable as it will involve substituting a fresh schedule after cancelling Schedule II. The Corporation will therefore have to carry on with Schedule II read with the supplementary provisions now proposed and in due course the Government will have to make self contained rules after cancellin Schedule II under section 365 (3).

18. Draft (8). - Notification declaring that Mayo Hall shal be the place for holding meetings.

This is necessary to overcome the legal difficulty caused by the fact that there will be more than one municipal office for the corporation and the wording of para 2 of Schedule II read with the definition in section 3 (22) seems to make it necessary that there should be a notification by the Government under section 439 overcoming the difficulty. As soon as possible after the Act comes into force, it may be necessary to make suitable amendments in order to make the position perfectly legal.

17.11.

President, Municipal Commissi
Civil Station,
and
Municipal Commissioner,
City Municipality, Bangalore.

Draft 1

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

NOTIFICATION.

NO. DATED

In exercise of the powers conferred by section 436 of the City of Bangalore Municipal Corporation Act 1949 (LXIX of 1949), the Government of His Highness the Maharaja of Mysore are pleased to declare that the said Act shall come into force on the 8th December 1949.

SECRETARY TO THE GOVERNMENT
GENERAL DEPARTMENT.

Draft 2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Notification.

No. dated

WHEREAS it is expedient to make provision for the working of the interim Corporation from the date of the coming into force of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949) to the date of the constitution of a corporation in accordance with the provisions of section 5 of the said Act;

NOW, THEREFORE, in exercise of the powers conferred by sections 437 and 439 of the City of Bangalore Municipal Corporation Act, 1949, the Government of Mysore are pleased to make the following Order.

1. This order may be called the Bangalore Corporation Transitional Provisions Order, 1949.

2. It shall come into force on the day of December 1949, hereinafter referred to as the "appointed date".

3. In this order unless there is anything repugnant in the subject or context,

(1) "Act" or "Corporation Act" means the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949).

(2) "City of Bangalore" means the area comprising the limits of the Bangalore City Municipality as constituted under section 4 of the Mysore City Municipalities Act, 1933, and the area comprising the Civil Station of Bangalore as declared under section 4 of the Bangalore Municipal Law, 1897.

(3) "Bangalore City" means the area comprising the limits of the Bangalore Cit

Municipality as constituted under section 4 of the Mysore City Municipalities Act, 1933.

(4) "Civil Station of Bangalore" means the area declared under section 4 of the Bangalore Municipal Law, 1897.

(5) "Transitional period" means the period from the date of the coming into force of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949) to the date of the constitution of a corporation in accordance with the provisions of section 5 of the said Act.

4. (1) During the transitional period only such rules, orders, bye-laws or notifications as are issued under the Mysore City Municipalities Act, 1933, or the Bangalore Municipal Law, 1897, and detailed in the Schedule to this order shall be applicable to the City of Bangalore or any specified part thereof, namely Bangalore City or the Civil Station of Bangalore, as the case may be, subject to the restrictions, adaptations or modifications, if any, specified in the Schedule, and the provisions of this Order.

(2) Notwithstanding anything contained in sub-clause (1) ~~the Corporation~~ any competent authority may during the transitional period amend or repeal any of the rules, orders, bye-laws or notifications specified in the Schedule or issue fresh rules, orders, bye-laws or notifications, in conformity with the procedure laid down in the Act.

5. The rules, orders, bye-laws or notifications declared to be applicable by this order shall, except where the context otherwise requires and except in the restrictions, modifications and adaptations referred to in

clause 4, be construed as if references therein to the authorities mentioned in the first column of the following table were references to the authorities mentioned opposite thereto in the second column of the said table, -

Municipal Council or Municipal Commission	Corporation
President, wherever the term occurs in any rule, order, bye-law or notification issued under the Mysore City Municipalities Act, so far as it relates to Bangalore City.	Mayor
President, wherever the term occurs in any rule, order, bye-law or notification issued under the Bangalore Municipal Law.	Commissioner
Vice-President.	Deputy Mayor.
Commissioner or Municipal Commissioner, wherever the term occurs in any rule, order, bye-law or notification issued under the Bangalore Municipal Law.	Councillor
Committees constituted under the Mysore City Municipalities Act or the Bangalore Municipal Law and referred to in the rules, orders, bye-laws and notifications specified in the Schedule.	Corresponding committees under the City of Bangalore Municipal Corporation Act.

6. Subject to special orders, if any, issued by the Government in this behalf, the staff who on the appointed date were borne on the establishment list of the Bangalore City Municipality or the Municipal Commission, Civil Station, Bangalore, are hereby authorised to continue to carry on, on behalf of the corporation, the services and activities previously carried on by them on behalf of the said bodies.

Provided that any member of the staff authorised under this clause or under any

special orders of the Government shall continue to hold office and to exercise their respective powers, pending the sanction of the establishment schedule by the corporation under section 90 of the Act.

7. Any suit, trial, appeal or proceeding pending in any court or before any authority under the Mysore City Municipalities Act or the Bangalore Municipal Law, on the appointed date, shall, notwithstanding anything contained in the Corporation Act, be disposed of by the court or authority before whom it is pending under the respective laws governing such suits, ~~enquiries,~~ trials, appeals or proceedings, before the appointed date.

Provided that in the case of any property taxation appeals which are instituted but not disposed of, the provisions of the Corporation Act will apply to the disposal of those cases.

8. The budgets of the Bangalore City Municipal Council and the Bangalore Civil Station Municipal Commission, for the year 1949 - 50, as approved by the respective boards shall continue to be in force during the transitional period, or until such time a fresh budget is sanctioned under the provisions of the Corporation Act.

SECRETARY TO THE GOVERNMENT,
GENERAL DEPARTMENT.

Draft 3.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. Notification.

Dated

In exercise of the powers conferred by sections 437 and 439 read with clause (9) of section 3 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), the Government of His Highness the Maharaja of Mysore are pleased to declare that the said Act, shall not apply to the military buildings and lands in the Civil Station of Bangalore to which on the day prior to the date of the coming into force of the Act, the provisions of the Bangalore Municipal Law, 1897, were not applicable.

SECRETARY TO THE GOVERNMENT
GENERAL DEPARTMENT.

Draft 4 (a)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Notification.

No. *dated*

In exercise of the powers conferred by section 7 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), the Government of His Highness the Maharaja of Mysore are pleased to appoint . . . . . as the Commissioner of the Corporation.

SECRETARY TO THE GOVERNMENT,
GENERAL DEPARTMENT.

Draft 4 (b).

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Notification.

No. *dated*

In exercise of the powers conferred by section 439 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), read with clause 6 of the Bangalore Corporation Transitional Provisions Order, 1949, the Government of His Highness the Maharaja of Mysore are pleased to appoint . . . . . as the Health Officer / Engineer / Revenue Officer of the Corporation.

SECRETARY TO THE GOVERNMENT,
GENERAL DEPARTMENT.

Draft 5.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Notification.

No. dated

In exercise of the powers errea by section 148 of the City of Bangalore Municipal Corporation Act 1949 (LXIX of 1949), the Government of His Highness the Maharaja of Mysore are pleased to direct that the auditors appointed under the Mysore City Municipalities Act, 1933, and the Bangalore Municipal Law, 1897, in respect of Bangalore City cnd the Civil Station of Bangalore respectively, shall continue to be the auditors in respect of transactions relating to the period ending on the date on which the Corporation Act was brought into force.

SECRETARY TO THE GOVERNMENT,
GENERAL DEPARTMENT.

Draft 6

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

NOTIFICATION.

No. dated,

In exercise of the powers conferred by section 43 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), the Government of His Highness the Maharaj of Mysore, are pleased to make the following rules :-

(1) Rules for the election of the Mayor or the Deputy Mayor.

(2) Rules for the election of members of Standing Committees.

(3) Rules for the election of Chairmen of Standing Committees.

2. These rules shall have effect until fresh rules a made by the competent authority in accordance with the provisions of the City of Bangalore Municipal Corporation Act, 1949.

GENERAL SECRETARY
TO THE GOVERNMENT

I.

Rules for the election of the Mayor or the Deputy Mayor of the Council.

1. Every candidate for election as Mayor or Deputy Mayor shall be proposed by one councillor and seconded by another councillor at the meeting held for the purpose. The names of all the candidates proposed and seconded shall be read out by the Mayor or in his absence by the Deputy Mayor, or in the absence of both the Mayor and the Deputy Mayor, by the presiding councillor and the votes of the councillors present at the meeting shall then be taken by ballot. The Commissioner shall make adequate arrangements for securing the privacy of the ballot.

2. Every councillor wishing to vote shall be supplied with a voting paper on which the names of all the candidates shall be printed, typed, or legibly written in the follo

form i-

Name.	*Vote.*
(1)	
(2)	
(3)	

Each councillor shall then proceed to the place set apart for the purpose and there place a mark against the name of the candidate for whom he wishes to vote. He shall then fold up the voting paper so as to conceal his vote and deposit the same in a ballot-box. The ballot-box shall be so constructed that the voting paper may be placed therein but not extracted therefrom without the box being opened. The Mayor, the Deputy Mayor or the presiding councillor as the case may be, shall then open the box and count the votes in the presence of the councillors and declare the result of the election.

3. If there is only one duly nominated candidate no ballot shall be necessary and he shall be considered to have been elected provided that the proposal is carried by a resolution of the council at the same meeting. If no such resolution is passed, a fresh election shall be held forthwith in accordance with these rules.

4. (1) If there are two candidates the one who secures the larger number of votes shall be declared to have been elected. If there is an equality of votes between the two candidates, the Mayor, the Deputy Mayor or the presiding councillor as the case may be, shall draw lots in the presence of the council and the person whose name is first drawn shall be declared to have been elected.

(2) If there are more than two candidates, the one who obtains the smallest number of votes shall be eliminated and the votes taken again. If there is an equality of votes among all the candidates or if two or more candidates last in the list have obtained an equal number of votes, a ballot shall be taken in order to decide which of them shall be eliminated. If at such ballot there is an equality of vote

a further ballot shall be taken; and if this further ballot is also indecisive, the Mayor, the Deputy Mayor or the presiding councillor as the case may be, shall ascertain by drawing lots in the presence of the council which of the candidates shall be considered to have been eliminated. The elimination shall be repeated until two candidates only are left, when votes shall be taken for the last time and the candidate who secures the larger number of votes shall be considered to have been elected. If there is an equality of votes at the final stages, between the two remaining candidates, the Mayor, the Deputy Mayor or the presiding councillor, as the case may be, shall draw lots in the presence of the council and the person whose name is first drawn shall be declared to have been elected.

5. No candidate shall take part in a ballot but a candidate may withdraw at any stage and after such withdrawal he may take part in any ballot. Similarly a canlidate who has been eliminated at any stage under sub-rule (2) of rule 4 may taken part in any ballot at subsequnt stages.

6. Any voting paper which contains the signature or writing of any of the voting councillors or on which a mark is made agairst more than one name shall be invalid.

II.

Rules for the election of members of Standing Committees.

1. A separate election shall be held for each Standing Committee. If elections be held at the same meeting of the council to fill vacancies on more than one Standing Committee the order in which the elections are taken shall follow the order in which the Standing Committees are mentioned in section 6. If, however, the election to any Standing Committee is adjourned under rule 5, the elections for the Standing Committee next in order shall be proceeded with.

2. The meeting for the election of members of any Standing Committee or Committees shall be presided over by the Mayor, the Deputy Mayor or in their absence by a

Councillor not intending to stand as a candidate at the election, or any of the elections, as the case may be, chosen by the meeting to preside for the occasion.

3. Every candidate for election shall be proposed by one councillor and seconded by another councillor. A candidate who has been proposed and seconded may withdraw his candidature by making a statement to that effect at the meeting of the council. The names of all the candidates who have been proposed and seconded and who have not withdrawn their candidature, shall be read out by the Mayor, the Deputy Mayor, or the presiding councillor.

4. If the number of candidates whose names are so read out is equal to the number of vacancies, the Mayor, the Deputy Mayor, or the presiding councillor shall declare all such candidates duly elected.

5. If the number of such candidates is less than the number of vacancies the Mayor, the Deputy Mayor or the presiding councillor shall declare all such candidates duly elected and shall either call for fresh nominations or adjourn the election to fill up the remaining vacancy or vacancies to the next meeting of the council.

6. If the number of such candidates exceeds the number of vacancies, the votes of the councillors present at the meeting shall be taken by ballot. The Commissioner shall make adequate arrangements to secure the privacy of the ballot.

7. Every councillor wishing to vote shall be supplied with a voting paper on which the names of all such candidates shall be typed or legibly written in the following form:-

Name.	Vote.
(1)	
(2)	
(3)	

Each councillor shall then proceed to the place set apart for the purpose and there place a mark against the name

of the candidate or the names of the candidates for whom he wishes to vote. He shall then fold up the voting paper so as to conceal his vote and deposit the same in a ballot-box placed in the view of the Mayor, the Deputy Mayor or the presiding councillor. The ballot-box shall be so constructed that the voting paper may be placed therein but not extracted therefrom without the box being opened. The Mayor, the Deputy Mayor or the presiding Councillor shall then open the box and count the votes in the presence of two councillors (other than candidates) who shall be nominated tellers by the Mayor, the Deputy Mayor or the presiding councillor.

8. The candidate who obtains the largest number of votes, or if there is more than one vacancy, as many of the candidates at the top of the poll as there are vacancies to be filled, shall be declared to have been duly elected. If there be any equality of votes between any two or more candidates and the addition of one vote to any one or more of such candidates will entitle him or them to be declared duly elected, the Mayor, the Deputy Mayor or the presiding councillor shall decide by drawing lots in the presence of the council to which one or more of such candidates such additional vote shall be deemed to have been given.

9. Councillors who have been duly proposed and seconded as candidates may also take part in the ballot.

10. Any voting paper which contains the signature or writing of any of the voting councillors or on which marks are placed against more candidates than there are vacancies to be filled shall be invalid.

III.

Rules for the election of Chairmen of Standing Committees.

1. Every candidate for election as Chairman of a Standi Committee shall be proposed by one councillor and seconded by another councillor at the meeting held for the purpose. The names of all the candidates proposed and seconded shall

be read out by the Mayor or in his absence by the Deputy Mayor, or in the absence of both the Mayor and the Deputy Mayor by the presiding councillor and the votes of the councillors present at the meeting shall then be taken by ballot. The Commissioner shall make adequate arrangements for securing the privacy of the ballot.

2. Every councillor wishing to vote shall be supplied with a voting paper on which the names of all the candidates shall be printed, typed or legibly written in the following form:-

	Name.	Vote.
(1)		
(2)		
(3)		

Each councillor shall then proceed to the place set apart for the purpose and there place a mark against the name of the candidate for whom he wishes to vote. He shall then fold up the voting paper so as to conceal his vote and deposit the same in a ballot-box. The ballot-box shall be so constructed that the voting paper may be placed therein but not extracted therefrom without the box being opened. The Mayor, the Deputy Mayor or the presiding councillor as the case may be, shall then open the box and count the votes in the presence of the councillors and declare the result of the election.

3. If there is only one duly nominated candidate, no ballot shall be necessary and he shall be considered to have been elected provided that the proposal is carried by a resolution of the Standing Committee at the same meeting. If no such resolution is passed, a fresh election shall be held forthwith in accordance with these rules.

4. (1) If there are two candidates the one who secures the larger number of votes shall be declared to have been elected. If there is an equality of votes between the two candidates, the Mayor, the Deputy Mayor or the presiding

councillor as the case may be, shall draw lots in the presence of the Standing Committee and the person whose name is first drawn shall be declared to have been elected.

(2) If there are more than two candidates, the one who obtains the smallest number of votes shall be eliminated and the votes taken again. If there is an equality of votes among all the candidates or if two or more candidates last in the list have obtained an equal number of votes, a ballot shall be taken in order to decide which of them shall be eliminated. If at such ballot there is an equality of votes a further ballot shall be taken; and if this further ballot is also indecisive, the Mayor, the Deputy Mayor or the presiding councillor as the case may be, shall ascertain by drawing lots in the presence of the Standing Committee which of the candidates shall be considered to have been eliminated The elimination shall be repeated until two candidates only are left, when votes shall be taken for the last time and the candidate who secures the larger number of votes shall be considered to have been elected. If there is an equality of votes at the final stages between the two remaining candidates, the Mayor, the Deputy Mayor or the presiding councillor as the case may be, shall draw lots in the presence of the Standing Committee and the person whose name is first drawn shall be declared to have been elected.

5. No candidate shall take part in a ballot but a candidate may withdraw at any stage and after such withdrawal he may take part in any ballot. Similarly a candidate who has been eliminated at any stage under sub-rule (2) of rule 4 may take part in any ballot at subsequent stages.

6. Any voting paper which contains the signature or writing of any of the voting councillors or on which a mark is made against more than one name shall be invalid.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

NOTIFICATION.

No. Dated.....

****

In exercise of the powers conferred by Section 439 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), the Government of His Highness the Maharaja of Mysore, are pleased to make the following provisions supplementary to the provisions contained in schedule II of the said Act, regarding the conduct of proceedings of the Corporation.

2. The supplementary provisions shall have effect until fresh provisions are madeby the competent authority in accordance with the aforesaid Act.

GENERAL SECRETARY TO GOVERNMENT.

Rules for the conduct of business at Meetings of the Corporation and Standing Committees.

Note:- Please see also Section 54 of the Corporation Act and Schedule II to the Act.

Notice

Every notice required under the Act, the rules or the regulations shall be given in writing, addressed to the Mayor, and shall be left at the Mayor's office which shall be opened for the purpose between the hours of 11 A.M. and 5 P.M. every day except Sundays and public holidays. Notices left when the office is closed shall be treated as given on the next working day.

2. No business requiring notice shall be set down on a day earlier than the period of the necessary notice.

3. The Mayor may bring forward any urgent business at any meeting.

4. No business, not included in the list of business for the day, shall be transacted at any sitting, except in the

the form of a motion and without the leave of the Mayor and of the Council.

5 (i) Not more than one such motion shall be made at the sitting.

(ii) Not more than one matter can be discussed on the same motion and the motion must be restricted to a specific matter of recent occurrence.

(iii) The motion must not raise discussion on a matter which has been discussed at a meeting of the Council during the previous three months.

(iv) The motion must not anticipate a matter which has been previously appointed for consideration or with reference to which a notice of motion has been previously given, and

(v) The motion must not deal with a matter on which a resolution could not be moved.

6. Leave to make such a motion must be asked for after questions at the first general meeting and at other meetings before the list of business for the day is entered upon.

The member making such a motion must hand to the Mayor a written statement containing the motion before 2 P.M. on the date of meeting but he shall not speak thereon.

8. The Mayor if he is of opinion that the motion is in order shall read the same to the Council and ask the Council if it gives leave. If three-fourths of the members present and voting signify their assent, the Mayor shall announce that the motion will be taken up at an hour to be fixed by him.

Decorum.

9. The members shall sit in such order as the Mayor may appoint. Members shall speak only from their places.

10. A member desiring to speak on any matter before the Council, shall rise from his place, but shall not speak before the Mayor calls the name of the speaker when he shall address the Mayor. At any time the Mayor rises in his seat, any

any member speaking shall resume his seat.

11. The business of the Council shall be transacted in English, but any member may address the Council in any recognised language of the State with the permission of the Mayor (provided the Mayor is satisfied that the member so applying for permission is not well conversant with English).

Quorum

12. If, after the lapse of 15 minutes from the hour fixed for a meeting, no quorum be present, the meeting shall be adjourned to a date and hour to be fixed by the Mayor, if he be present. If he be absent, the meeting shall stand adjourned to that day week at the same time and place. If there is no quorum for a special meeting, the meeting shall be dissolved provided, however, that if there be no quorum at a special meeting, the Mayor shall have the power to adjourn the meeting to another date.

13. If the Mayor, on a count asked for by a member at any time during a sitting ascertains, after directing the bell to be rung for a minute, that the required quorum is not present, he may adjourn the Council to such day and hour as he may fix, or dissolve the meeting.

The Mayor.

14. When the Mayor finds it necessary to temporarily leave the chair, he may call on the Deputy Mayor, or in the latter's absence some other member to preside.

15. The Deputy Mayor or the Presiding Member shall exercise all the powers of the Mayor provided for in these Rules.

16. The Mayor shall call to order any member who attempts to speak a second time on the same question.

17. The Mayor shall rule out of order all matters that do not pertain either to the question before the meeting or to the business then before the meeting.

18. The Mayor shall decide all points of order which may arise and his decision shall be final. No discussion on the point or points raised shall be allowed.

19. Any member may, at any time, submit a point of order for the decision of the Mayor. but in doing so shall confine himself solely to stating the point.

20. The Mayor shall preserve order and have all powers necessary for the purpose of enforcing his decision on all points of order.

Questions.

21. Notice of a question shall be given at least eight clear days before the sitting of the Council at which it is to be asked, and a copy of the question shall be submitted with the notice, provided that the Mayor may allow a question to be asked with shorter notice than eight days or may extend the time for answering a question. Starred questions shall be answered at the next meeting of the Council after ten days of receipt of notice of such questions, unless on the application of the Commissioner the Mayor extends the time for the answering of the questions. But, in no case, shall any question remain unanswered beyond the next meeting after fifteen days of receipt of the question. The Commissioner, may, with the permission of the Mayor, answer all interpellations and supplementary questions thereon.

22. A question may be asked for the purpose of obtaining information on any matter of fact pertaining to the administration of the City by the Corporation.

23. In order that a question may be admissible it must satisfy the following conditions.-

(i) It must not publish any name or statement not strictly necessary to make the question intelligible

(ii) If a question contains a statement, the member asking must make himself responsible for the accuracy of the statement.

(iii) It must not contain arguments, inferences, ironical expressions or defamatory statements.

(iv) It must not ask for the expression of opinion, or the solution of an abstract legal question or of a hypothetical proposition.

(v) It may not be asked as to the character or conduct of any person except in his official or public capacity.

(vi) It shall not pertain to the individual grievances or complaints of members of the Corporation establishment.

(vii) It must not be of excessive length.

(viii) A question once fully answered may not be asked again.

24. The Mayor may, within the period of notice, disallow any question or any part of a question, on the ground that it relates to a matter which is not primarily the concern of the Corporation and, if he does so, the question or part of the question shall not be placed on the list of questions.

25. The Mayor shall decide on the admissibility of a question, and may disallow any question when, in his opinion, it is an abuse of the right of questioning, or is in contravention of these rules or on the ground that it cannot be answered consistently with public interests.

26. Questions which have not been disallowed shall be entered in the list of questions for the day, and shall be called if the time made available for questions permits, in the order in which they stand in the list, before any other business is entered upon at the meeting.

27. The first thirty minutes of every ordinary meeting in every month shall be available for the asking and answering of questions.

28. Questions not starred will not be called in the Council but they will be typed or printed with their answers and placed on the table along with the list of starred questions.

29. Oral supplementary questions will not be allowed in regard to unstarred questions.

30. Interpellations shall not be adjourned.

STARRED QUESTIONS

31. Questions for which answers are desired by the members on the floor of the Council shall be starred by the members.

32. Starred questions shall be put and answers given in the following manner -

(i) The Mayor shall call out the name of each questioner in the order in which the names are typed or printed.

(ii) He shall specify the serial number of the question and make a sufficient pause to give him or any other member a reasonable opportunity to rise in his place and put a supplementary question.

(iii) Supplementary questions must be put immediately after the principal question to which they relate.

33. Any member may put supplementary questions for the purpose of further elucidating any matter of fact regarding which an answer has been given, but the Mayor may disallow any supplementary question, if, in his opinion, it infringes the regulations.

34. The Mayor, or the Commissioner with the permission of the Mayor, may decline to answer any supplementary question without notice, in which case a supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

35. No discussion shall be permitted in respect of any question or of any answer given to a question.

36. Not more than twenty starred questions shall be set down for a day. Starred questions not answered that day, will lapse.

RESOLUTIONS

37. Any member may move a resolution relating to a matter concerning the Municipal administration of the City.

38. The Mayor shall decide on the admissibility of a resolution and shall disallow any resolution which, in his opinion contravenes the provisions of the Act or the rules made thereunder and his decision shall be final Provided that if, in the opinion of the Mayor, a resolution relates to a matter, unconnected with the Municipal administration and may lead to

to an unseemly or communal controversy, he shall refer the resolution to the Provincial Government and obtain their orders as to whether it may be admitted.

39. Every resolution shall be clearly and precisely expressed and shall raise a definite issue.

40. Resolution shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall they refer to the conduct or character of persons except in their official or public capacity.

41. Resolutions shall be of an affirmative character and shall commence with the word "That".

42. Notice of resolutions shall be in writing and signed by the mover.

43. A member who wishes to move a resolution shall give at least eight clear days' notice of his intention and shall, together with the notice, submit a copy of the resolution which he wishes to move, but the Mayor may allow, for reasons to be stated by him, a resolution to be entered on the list of business with shorter notice than eight days.

44. The relative precedence of resolutions given notice of by members for being moved at meetings of the Council shall be determined by ballot.

45. No member shall be entitled to ballot for more than three resolutions at a time.

46. A ballot shall be repeated as often as may be necessary, with reference to the transaction of business

47. The precedence of resolutions as determined by each ballot shall hold good for 30 days after the ballot is held, exclusive of the date on which it is held.

48. After the expiry of 30 days, all resolutions already ballotted for and not actually moved in the Council shall lapse, provided that the resolution which is under the consideration of the Council at the time of the adjournment shall be taken up as the first item of business under resolutions at the next meeting of the Council.

49. Members shall be at liberty to give fresh notice in respect or resolutions which have lapsed.

50. Not more than 15 resolutions according to the order of priority determined by ballot shall be set down for every meeting.

51. After a member who moves has spoken, other members may speak on the motion in the order in which they are called by the Mayor.

52. A member who has moved a substantive motion may speak again by way or reply. When the mover has replied, the question before the House shall forthwith be put without further debate.

53. Except in the exercise of a right of reply or as otherwise provided, no member shall speak more than once on any motion, unless it be with the permission of the Mayor, for the purpose of making a personal explanation but in that case no debatable matter may be brought forward.

54 A member in whose name a resolution appears on the list of business shall, when called on, either

i move the resolution, or

ii withdraw the resolution, in which case he shall confin himself to a mere statement to that effect.

55 If the member when called on is absent, the resolution standing in his name shall considered to have been withdrawn.

56 It shall be open to the Council to allow a resolution deeme to have been withdrawn to be moved by any other member.

57 Priority to a Notice of motion standing in one member's nam shall not be granted on the application of another.

58 Every resolution which has been moved shall be seconded; otherwise it shall not be discussed, nor shall any question be put on it.

59 When the resolution has been moved and seconded the Mayor shall state or propose a question thereon to the meeting thus " The question is that the motion be agreed to."

60 When a resolution has been rejected, no resolution to the same effect can be brought forward before the same meeting.

61 A resolution which has been adopted may be reconsidered with the permission of the meeting.

62 The motion "that this meeting do now adjourn" shall not be admitted except when the motion contains the time and place of the adjourned meeting, when amendments may be male on the question of time and place or either. The motion shall have preference over all motion and this shall be moved & seconded without a speech and shall be put t the meeting without debate.

63 When a motion has been amended, the question is put by the Mayor thus "That the motion as amended shall be agreed to

64 The discussion on a resolution shall be strictly limited to the subjection subject of the resolution.

65 When any resolution involving several points has been discussed, it shall be in the discretion of the Mayor to divide the resolution, and put each or any point to the vote separately as he may think fit.

66 Routine resolutions, viz., recording periodical statement or confirming the proceedings of the Standing Committees, may be put to the meeting by the Mayor without their having been moved or seconded.

67 Motions regarding the choice of a Presiding Member the precedence of certain items of business and adjournments must be seconded, but need not be in writing.

68 The Mayor, Deputy Mayor or the Presiding Member has the same right of moving or seconding or speaking on a resolution or motion as any other member, but he shall vacate the chair while so engaged, and the chair during such time shall be taken by a member nominated by the Mayor or the Presiding Member. Without vacating the chair, the Mayor, Deputy Mayor or Presiding Member may however at his discretion or at the request of any member, explain to the meeting the scope of any resolution or amendment.

AMENDMENTS

69 When a motion is under discussion, any member may, subject to all the rules relating to resolutions, move an amendment to such motion. Such amendments shall be given notice of to the Mayor within 15 minutes after the mover begins his speech on the motion o before the end of the speech of the seconder/or the motion, which ever is later.

70 Amendments to resolutions given notice of by members and circulated to members in advance, shall be given notice of two days the meeting at which the resolutions are taken up. Such amendments shall be printed or stencilled and circulated to the members before the commencement of the meeting

Every amendment must be in writing and signed by the mov

and must be seconded, otherwise it shall not be discussed, nor shall any question be put on it.

72 An amendment must be relevant to and within the scope of the subject matter of the clause or motion to which it ~~makes~~ relates.

73 An amendment to a motion may be

a. either for striking out words,

b. or for the insertion of words

c. or for the removal of certain words and substituting of others in their place,

d. or for the addition of words.

74 When the amendment is for striking out certain words of the motion or resolution. the Mayor puts the question thus " That the words proposed to be struck out shall not stand part of the motion (or amendment or resolution)."

74 When the amendment is for the insertion or addition of words to the motion or resolution. the Mayor puts the amendment thus" that the words to be inserted or added shall be/so inserted or added."

76 When the amendment is for striking out certain words and the insertion of fresh words, the Mayor shall first put the amendment for the striking out of the words in question and then move for the addition of fresh words. If the motion for striking out the ~~marked~~ words in question is not carried, the amendment shall be considered to be lost. If the motion for striking out certain words is carried and not the motion for the insertion of fresh words, the motion shall remain with the words struck out, but fresh words may be inserted with the permission of the meeting, on motion.

77 In respect of any motion under consideration, the Mayor shall have power to select the amendments in any order.

78 After a decision has been given on an amendment to any part of a clause or motion, no amendment which arise at an earlier point of the clause or motion shall be moved.

79 An amendment may not be moved which has merely the effect o

of a negative vote.

80 An amendment on a question must not be encensistent with any previous decision on the same motion.

81 The Mayor may refuse to put an amendment which is inhis opinion, frivelous.

82 No amendment can be moved to words which, the meeting has resolved, shall stand part of, be inserted in, or be added to a motio but addition words may be added.

83 When amendments have been negatived, the original motion is put by the Mayor.

84 When amendments have been carried, the original motion, with the amendments incorporated therein shall be put.

85 A member who has moved a resolution or an amendment to a resolution shall not withdraw the same except by leave of the Council.

86 No discussion shall be permitted on a motion for leave t withdraw.

87 Anmendment which has been rejected cannot be brought forward again

88. Formal corrections rendered necessary by amendments may be made by the Mayor at the meeting.

DIVISION AND POLL.

89. If any two members request a poll, the Mayor shall call the roll of the members and record the names of the members present at the time their names are called and voting for and against. Before a poll is taken, the bell shall be rung for a minute.

90. A member wrongly counted in a division may require necessary corrections to be made, but he should raise the objection before the Mayor declares the result of the division.

91. When a division has been taken and the numbers voting for and against the resolution are equal, the Mayor shall exercise a casting vote.

92. A member, who had not voted during the first voting by show of hands is taken, can vote in a division or poll.

DEBATE.

93. When the Mayor rises from his seat, the member then speaking shall resume his seat.

94. When a member is called to order by the Mayor, he shall immediately sit down.

95. A member desiring to speak shall rise in his place but if two or more members rise simultaneously to speak, the Mayor shall call the member who first caught his eye to speak first. The other members shall immediately resume their seats.

96. A motion for adjournment shall have precedence over all other motions. This shall be moved and seconded without a speech and shall be put by the Mayor without debate. No amendment can be moved to a motion for the adjournment of a debate, unless it rel-

to the question of the date to which the meeting shall stand adjourned. Such a motion can be made at any time so as not to interrupt a speech and without previous notice.

97. A motion that the question before the House be referred to a Committee shall also have precedence over all other motions, except a motion for adjournment. Such a motion can be made at any time so as not to interrupt a speech and without previous notice.

98. A member, while speaking, must not

(i) comment on any matter on which a judicial decision is pending;

(ii) make a personal charge against a member;

(iii) use offensive expressions about the conduct or proceedings of the Central Legislature or of the Mysore or any Provincial Legislature or of the Council of the Corporation of Bangalore.

(iv) utter defamatory words; or

(v) use his right of speech for the purpose of obstructing the business of the Council.

99. A member who has once addressed the meeting on the main question cannot subsequently move or second an amendment thereto or otherwise take part in the debate.

100. No member shall speak on a question after the question has been put by the Mayor.

101. No member may speak more than once to a motion except the mover who has the right of reply: after the mover's reply, no member can speak on the question. If the mover of a motion speaks to an amendment thereon, he loses his right of reply.

102. No speech, except with the permission of the Mayor, shall exceed seven minutes in duration, provided that the mover of a resolution in moving the same may speak for ten minutes.

103. Except as provided above, no member shall address the Counc or put any question or otherwise take part in any debate or speak.

PUTTING THE QUESTION.

104. After the debate on a question is concluded, the Mayor shal put the question.

105. When a question is put to the vote, the Mayor shall call fo a show of hands, and the Mayor shall count the hands shown for and against, and declare the result.

106. An item of business may be passed over if no motion is prop in reference thereto.

107. A motion that any meeting or item of business be adjourned or that the Council pass to the item of business next in order in the statement of business may be moved at any time, and without previous notice as a distinct question, but not so as to interrupt a speech. If the motion is carried, the meeting or item of busine shall be adjourned accordingly, or if the motion carried be that th Council pass to the item of business, next in order in the statement of business, the item of business then under discussion shall be considered to be disposed of. There shall be no speech or debate on these motions.

THE CLOSURE.

108. At any time after a motion has been made and at the end of a speech, any member may move "that the question be now put" and unless it appears to the Mayor that such motion is an abuse of the rules of the Council or an infringment of the right of reasonable debate, the question "that the question be now put" shall be put forthwith and decided without amendment or debate. Should the motion be carried, the Mayor shall take the sense of the meeting whether the mover be allowed to reply. If the mover is so allo-

he shall bring his reply to a close within five minutes. After that, or should the reply by the mover be not allowed, the motion or amendment or amendments under debate shall be at once put.

BREACH OF ORDER.

109. A member is guilty of breach of order, who

(a) uses objectionable or offensive words and refuses to withdraw them or offer any apology;

(b) wilfully disturbs the peaceful and orderly conduct of the meeting;

(c) refuses to obey any order from the Chair, or

(d) does not resume his seat when the Mayor rises from his chair or when he is called upon to do so by the Mayor.

110. Any member may take objection to any offensive words.

111. A member who objects to offensive words should move: "that the words be taken down." If his motion is agreed to, the Mayor shall direct that the words be taken down, or direct the official reporters to read the words used by the member concerned.

112. Objections to offensive words must be taken when the words are used, and not after another member has begun to speak.

113. A member whose words have been taken down shall be guilty of a breach of order.

114. The Mayor, after having called the attention of the Council to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

115. The Mayor may direct any member, whose conduct is, in his opinion, grossly disorderly, to withdraw immediately from the Council, and any member so ordered to withdraw shall do so forthwith and absent himself during the remainder of the day's meeting. If any member is so directed by the Mayor for second time, the Mayor may further order that the member shall be absent from the meetings of the Council for one month.

116. The Mayor may, in case of grave disorder arising in the Council, suspend any sitting for a time to be named by him.

COMMITTEE OF THE WHOLE HOUSE

117. At a meeting the members may resolve themselves into a Committee to consider any subject which is before the meeting.

118. A meeting can resolve itself into a Committee of the whole House on a motion agreed to: "That this meeting do now resolve itself into a Committee of the whole Hou

119. The rules of debate shall be observed in a Committee as far as possible; but in a Committee a motion need not be seconded and a member may speak more than once.

120. The decision of the Committee shall be reported to that or to a subsequent meeting for disposal.

121. Speeches made in a Committee shall not be reported.

122. The Council may resolve to hold its meeting at any time in camera. When it so resolves, all visitors including the representatives of the Press shall be excluded from the meeting. Speeches made in camera meetings shall not be reported.

SELECT COMMITTEE

123. A Select Committee shall consist of not less than three members, of whom one shall be the mover of the motion setting up the Committee.

124. (a) Whenever any member moves a resolution for the appointment of a Committee of a special nature, it shall be incumbent on the mover--

(i) to move that the Committee shall consist of a definite number of members, and

(ii) to draw up a list of as many members as may be thus fixed for constituting the Committee.

(b) Any other member may move the substitution of any one or more names for one or more of those contained in the list, or draw up a different list and move that it be substituted for the list proposed by the mover of the original proposition:

Provided always that if a ballot be demanded by atleast two members, the Mayor shall put it to the meeting whether they wish the election to be by ballot, and if this is passed the Committee shall be elected by ballot. Otherwise, the question shall be decided in the usual manner.

125. The proceedings of every such committee shall be recorded in writing and submitted to the Council.

126. The Mayor shall have power to appoint any member of this committee as its convener, if no appointment was made by the Council.

APPOINTMENTS OF HEADS OF DEPARTMENTS

127. (a) In making appointments under Sections 84 and 85 of the Act, the Council shall proceed to make the appointment by the process of eliminating the candidates, until an absolute majority of the votes of the members present and voting is secured by one of the candidates.

(b) Any member present may propose or second any candidate, and the names of all the candidates proposed and seconded shall be ascertained.

(c) The Mayor shall then ascertain by means of a ballot the votes in favour of each candidate so proposed and seconded, no member being allowed to vote for more than one candidate at a time.

(d) If at a ballot none of the candidates obtains an absolute majority of the votes aforesaid, the candidate obtaining the least number of votes shall be eliminated and after such elimination a fresh ballot shall be taken.

(e) The process of elimination shall be continued until one of the candidates obtains more than half the votes of the members present and voting.

(f) The candidates thus obtaining absolute majority shall, by the Mayor, be then declared to be duly selected.

128. The Mayor shall have power to regulate the conduct of business in the Council in all matters, not provided for in the Act or the Rules.

STANDING COMMITTEES

Election of Chairman

129. That at least four clear days' notice be given of the meetings of the Standing Committees concerned for the purpose of electing Chairman.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

NOTIFICATION.

No. Dated,

In exercise of the powers conferred by section 43 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), read with rule 2 of Schedule II to the said Act, the Government of His Highness the Maharaja of Mysore, are pleased to declare that Mayo Hall on Mahatma Gandhi Road, shall be the municipal office for holding the meetings of the Corporation.

General Secretary
to the Government.

Reg No M 1175

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE MONDAY DECEMBER 5 1949

PART IV

Section 2 B

NOTIFICATIONS, RULES AND ORDERS ISSUED UNDER MYSORE ACTS

NOTIFICATION

No L 5318 -C M 49 49 1 dated Bangalore 2nd December 1949

In exercise of the powers conferred by sub section (1) of section 436 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to appoint the eighth day of December 1949, as the date on which the said Act shall come into force

A C NIRVANI GOWDA,
Secretary to Government,
General Department

NOTIFICATION

No L 5319—C M 49 19 2 dated Bangalore 2nd December 1949

WHEREAS it is expedient to make provision for the working of the Corporation of the City of Bangalore from the date of coming into force of the City of Bangalore Municipal Corporation Act 1949, (LXIX of 1949),

NOW, THEREFORE, in exercise of the powers conferred by section 437 read with section 439 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to make the following Order —

1 This Order may be called the Municipal Corporation of the City of Bangalore (Transitional Provisions) Order, 1949

2 It shall come into force on the eighth day of December 1949, which day is hereinafter referred to as the " appointed day '

3 In this Order, unless there is anything repugnant in the subject or context —

(1) " Act ' or " Corporation 'Act " means the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949),

(2) " City of Bangalore means the area comprised in the City of Bangalore as defined in clause (9) of section 3 of the Act,

(3) " Bangalore City ' means the area comprised within the limits of the Bangalore City Municipality as constituted under section 4 of the Mysore City Municipalities Act, 1933, immediately prior to the appointed day,

(4) " Civil Station of Bangalore ' means the area comprised within the limits of the Municipal Commission, Civil Station of Bangalore, as constituted under the Bangalore Municipal Law, 1897, immediately prior to the appointed day

4 Subject to the provisions of section 437 of the Act and clause 5 of this Order, as from the appointed day, all rules, bye laws, orders and notifications made or issued and in force in the City of Bangalore or any part thereof shall, until superseded, altered or amended in accordance with the provisions of the Act, be subject to the modifications directed in clause 6 of this Order

5 The rules, orders, bye laws, and notifications specified in the Schedule to this Order, shall until superseded, altered, or amended in accordance with the provisions of the Act have effect, subject to the adaptations and modifications directed in the Schedule and by clause 6 of this Order

6 The rules, bye laws, orders and notifications referred to in clause 4 of this Order shall except where the context otherwise requires and except in the modifications and adaptations referred to in clause 5 of this Order be construed as if references therein to the authorities mentioned in the first column of the following table were references to the authorities mentioned opposite thereto in the second column of the said table —

TABLE

Municipal Council or Municipal Commission	Corporation
President wherever the term occurs in any rule order bye law or notification issued under the Mysore City Municipalities Act 1933 so far as it relates to Bangalore City	Mayor
President wherever the term occurs in any rule order bye law or notification issued under the Bangalore Municipal Law 1897	Commissioner
Vice President	Deputy Mayor
Commissioner or Municipal Commissioner wherever the term occurs in any rule order bye law or notification issued under the Bangalore Municipal Law 1897	Councillor
Committees constituted under the Mysore City Municipalities Act 1953 or the Bangalore Municipal Law 1897 and referred to in the rules orders bye laws and notifications specified in the Schedule	Corresponding Committees under the City of Bangalore Municipal Corporation Act 1949

7 Subject to special orders, if any, issued by the Government in this behalf, the persons who on the appointed day were borne on the establishment list of the Bangalore City Municipality and the Municipal Commission, Civil Station, Bangalore, are hereby authorised to continue to carry on on behalf of the Corporation, the services and activities previously carried on by them or behalf of the said bodies

Provided that any member of the establishment authorised under this clause or under any special orders of the Government shall continue to hold office and to exercise his respective powers, pending the sanction of the schedule of establishment by the Corporation under section 90 of the Act

8 Any suit prosecution, appeal or other proceeding pending in any court or before any authority under the Mysore City Municipalities Act, 1933, or the Bangalore Municipal Law, 1897, on the day immediately prior to the appointed day, be disposed of by the court or authority before which it is pending under the respective laws governing such suit, prosecution or other proceeding, before the appointed day

Provided that, in the case of any property taxation appeals which are instituted but not disposed of, the provisions of the Act will apply to the disposal of those cases

9 The budgets of the Bangalore City Municipal Council and the Bangalore Civil Station Municipal Commission, for the year 1949 50, as approved by the respective bodies shall continue to be in force until such time as a fresh budget is sanctioned under the provisions of the Act

A C NIRVANI GOWDA,
Secretary to Government,
General Department

SCHEDULE

(Clause 5 of the Order)

PART I —Rules Orders Bye laws or Notifications issued under the Mysore City Municipalities Act 1933 and the Bangalore Municipal Law 1897, which will be applicable to the City of Bangalore

Sl No	Bye law No	Subject	Adaptations modifications and restrictions
	A Rules Orders Bye laws and Notifications issued under the Mysore City Municipalities Act, 1933		
1	Chapter IV	Octroi Bye laws	Omit Schedules 1 and 2 and Schedule of roads referred to in para 2 of the City and Civil Station Bye laws respectively and substitute annexure to this schedule
2	Chapter V	List of Iron Building materials *e g* Girders etc for levy of Octroi duty	
3	Chapter IX	Preparation or manufacture of oil and for Parching grains and Bengalgram on a large scale	
4	Chapter XI	Use of places for boiling gold and silver and for installation of Power driven machinery	
5	Chapter XV	Prohibiting the stalling or herding of cattle	
6	Chapter XVIII	Sanitation and conservancy	
7	Chapter XXII	Rules for the use of the Municipal Ambulance Car	
8	Chapter XXVI	Use of sirens etc in Mills	
9	Chapter XXIX	Storing of films by exhibitors and distributors	
10	Chapter XXX	Regulating the use of Parks Gardens and Squares	

Sl No	Bye law No	Subject	Adaptations modifications and restric ions
	B Rules Orders Bye laws and Notifications issued under the Bangalore Municipal Law		
1	Chapter I Bye law No 5 A	Write off of irrecoverable sums due to the Commission	
2	Do III do 1	Temporary occupation of streets or land	
3	Do III do 2	Buildings	
4	Do III do 8	Registration of Births and Deaths	
5	Do III do 15	Injury or disfigurement of public property or buildings adjoining public streets	
6	Do III do 16	Transport of carcasses from Municipal Slaughter Houses	
7	Do III do 17	Cart Rules	
8	Do III do 18	Latrines privies drains and dust bin	
9	Do III do 22	Conveyances of stones bricks etc	
10	Appendix No 38	Rules for the acceptance of composition fees	

PART II —Rules Orders Bye laws and Notifications issued under the Mysore City Municipalities Act, 1933 which will be applicable to the Bangalore City only

Sl No.	Bye law No	Subject	Adaptations modifications and restrictions
1	Chapter VII	Assessment and levy of tax on arts professions etc	
2	Chapter VIII	Licensing and inspecting places used for bakeries hotels coffee houses etc	
3	Chapter XII	Trade of Hawkers and the levy of license	
4	Chapter XIII	Numbering and registering of bicycles and tricycles	
5	Chapter XIV	Markets	
6	Chapter XVII	Disposal of the dead	
7	Chapter XIX	Disposal of carcasses of dead animals	
8	Chapter XX	Notifiable diseases	
9	Chapter XXI	Barber hops and Hair Dressing Saloons	
10	Chapter XXIII	Bye laws for moulding manufacturing or burning bricks	
11	Chapter XXVIII	Regulation and control of Surveyors and Plumbers	
12		Duty on transfers of immovable property under Section 67 A of the Mysore City Municipalities Act 1933	

All orders rules bye laws and notifications in respect of taxation issued under the Mysore City Municipalities Act 1933 and in force on the day immediately prior to the appointed day

Budget of the Bangalore City Municipality as approved by the City Municipal Council

PART III —Rules Orders Bye laws and Notifications issued under the Bangalore Municipal Law which will be applicable to the Civil Station of Bangalore only

Sl No	Bye law No			Subject	Adaptations modifications and restrictions
1	Chapter II	Bye law	No 2	Assessment and collection—Tolls on vehicles and animals entering municipal limits	
2	Do	do	3	Assessment and collection—Tax on vehicles and animals	
3	Do	do	3(a)	Tax on Dogs	
4	Do	do	5	Tax on Hawkers	
5	Do	do	6	Tax on Sowcars money lenders and pawn brokers	
6	Do	do	7	Tax on entertainments	
7	Do III	do	3	Manufacture and preparation of articles of food and drink	
8	Do	do	4	Places for sale of articles of food and drink	
9	Do	do	5	Sale of milk and butter	
10	Do	do	6	Information of dangerous diseases	
11	Do	do	7	Lodging houses and buildings occupied by more than one family	
12	Do	do	10	Control of burial and burning grounds	
13	Do	do	11	Water Supply	
14	Do	do	12	Underground drainage system	
15	Do	do	13	For regulating the destruction or segregation of horses and cattle suffering from anthrax glanders rinderpest or any other such disease	
16	Do	do	14	Preparation by cooking for sale of certain articles of food and drink etc	
17	Do	do	24	Regulation of grant of licences for digging for gravel or sand and brick making	

18	Do	do	27	Control of barber shops and hair dressing saloons	
19	Do	do	28	Rules for allotment of Municipal houses and recovery of rents	
20	Appendix No	4 & 6		Tax on buildings and lands	
21	Do	8		Specifying the dates on which the several taxes fall due	
22	Do	12		Exemption to certain carts etc engaged in transport of meat	
23	Do	24		Alteration in any water connections or fittings	
24	Do	25		Fixing the period to levy excess water charges	
25	Do	26		Excess water charges payable by months	
26	Do	27		Reading of water meters	
27	Do	28		Fixing the rates of excess water charges	
28	Do	31		Prohibiting private locks to meter boxes	
29	Do	33		Slaughter house Bye laws	
30	Do	41		Coping and repairing of walls	
31	Do	42		Licensing for fishing	
32	Do	43		Remission of tax on vacant houses	
33	Do	54		License fee for dangerous and offensive trades	
34	Do	56		Rules relating to the collection of Transfer Duty	In para 3(2) and (5) for the words Accountant General Madras' substitute the words Comptroller to Government of Mysore
35	Do	57		Rate of duty on transfer of property	
36	Do	59		Provident Fund Rules	
37	Do	62		Plumber s licence—Water Supply	
38	Do	63		Do Underground drainage	
39	Do	64		Destruction of dogs impounded for observation	

All Orders Rules and Notifications in respect of taxation of Government buildings and lands (Government of India and Government of Mysore) including military property in force in the Civil Station of Bangalore on the day immediately prior to the appointed day

Budget of the Civil Station of Bangalore Municipality as approved by the Municipal Commission

ANNEXURE (1)

(See Item No 1 of Part I of Schedule)

LIST OF OCTROI POSTS

	Names of Routes	*Names of Ookads or Octroi Posts*
1	Railway Stations and all their gates including Platforms	Bangalore City and Bangal Cantonment Railway Stations a Goods Yards of the said Statio
2	Mysore Road	Mysore Road Ookad
3	Magadi Road	Magadi Road Ookad
4	Hosur Road	Hosur Road Ookad
5	Old Kankanhally Road	Kankanhally Road Ookad
6	Bellary Road	Bellary Road Ookad
7	Sampigae Road	Sampigae Road Ookad
8	Subedar Chattram Road	Subedar Chattram Road Ookad
9	Malleswaram Railway Station	Malleswaram Railway Station
10	New Kankanhally Road	Oopparahalli Ookad
11	Kanakanapalya Road	Oopparahalli Cross
12	Oosur Road	Oosur Road Ookad
13	Devarajeevanhally Cart Track Nagavar or Tannery Road	Tannery Road Ookad
14	Roads from Kasarpalli and Banswadi	Richards Town Ookad
15	Subbannapalya Cart Track Krishna rajpur Cart Track	Kalhalli Ookad
16	Old Madras or Kolar Road Lacoondi Cart Track	Old Madras Road Ookad
17	Cart Tracks from Thippasandra and Kodaihalli Domlur Road Agram Road	Domlur Ookad
18	Cart Tracks from Ijjipur etc Cart Tracks from Koramangala	Vannarpet Ookad

NAMES OF CROSSES

1	Sampigae Road Cross	Sampigae Cross
2	New Thurukarapalya Cross Road	Thurukarapalya Cross
3	New Sawar Lines Road	Hebbal Cross
4	Binny Mills Road Cross	Magadi Cross
5	Mysore Road Cross	Mysore Cross
6	Bull Temple Road	Gavipur Cross

NOTIFICATION

No L 5320—C M 49 49 3 dated Bangalore 2nd December 1949

In exercise of the powers conferred by Clause (9) of Section 3 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to direct that the area of the City of Bangalore shall, as from the eighth day of December 1949, comprise the areas included immediately prior to the eighth day of December 1949, within the limits of the Bangalore City Municipality constituted under the Mysore City Municipalities Act, 1933, and within the limits of the Municipal Commission of the Civil Station of Bangalore constituted under the Bangalore Municipal Law, 1897, excluding from the said limits the areas specified in the Schedule to this notification

A C NIRVANI GOWDA,
Secretary to Government,
General Department

SCHEDULE

No	
1	Harris Barrac and Grass Farm Stack Yard
2	Moorhouse and Pekin Barracks
3	Barrack Master s Office and Storeyard M h Storeyard and Subordinate quarters and Military Grass Farm Subordinate quarters Richmond Road
4	Old Pension Pay Master s quarters Hospital Road (land leased to *Rao Sahib* Venkataswamy Naidu)
5	Military Engineering Subordinate quarters Rest House Road
6	*Cornwallis Barracks and Farm Stack Yard
7	British Station Hospital (Part of Agram Entrenchment)
8	S D O South Store and Office (Old Detention Barracks)
9	Strip north of Cubbon Road on which R A S C Subordinate quarters stand
10	Agram entrenchment and land to the north and east
11	Baird Barracks
12	Marshall Barracks (Barrack Master s Stores and Class B quarters for Married Families Regimental)
13	Assaye Lines

14 *Richmond Lines

15 Strip north of Cubbon Road on which Quarter Master Stores are

15 A Strip north of Cubbon Road between Union Street and Head Quarters Office and Armoury A F I

16 Valve Superintendent s quarters and Old Storeyard on Museum Road

16 A Storeyard behind Marshall Barracks (now Departmental and Staff Club)

17 Strip north of Cubbon Road between Railway Road and Cunningham Road

18 Bangalore Brigade and Staff Offices and Staff Clerks quarters

19 Old Pension Pay Office (portion of land leased to *Rao Sahib* Venkataswamy Naidu)

20 Staff and Followers Hospital

21 Indian Station Hospital

22 Officers Mess Q V O Madras Sappers and Miners Promenade Road

23 Slaughter House and Sergeant s quarters (a portion of land used by Grass Farm)

23 A A I A S C Office and godown Bakery Square Cubbon Road

23 B Supply and Transport Grain godowns occupied now by M T Company Residency Road

24 Alsur Rock and buildings

25 *Dhobies wells (Old Engine House) now used as Indian Dhoby Ghat

26 Agram Rifle Range

27 Meanee Lines

28 Nilsandra Lines and Grass Farm Stack Yard

29 Baiderhalli Lines

30 A, 30 B, 30 C { General Parade Ground and General Court Martial room between Cubbon and South Parade Roads

31 Artillery and Cavalry Parade ground and Grass Farm Land (Agram Plain)

32 Sappers and Miners Parade Ground

33 A Two pieces of land divided by a road on north of Dickenson Road (Dhoby Ghat)

33 B Military Personnel Buildings

34 High Ground between the Residency and Ali Asker Road and the High Ground Reservoir

35 Victoria Park

36 Strip of lands north of Cubbon Road from Central Street to St Andrew s Church compound

---

A portion of the land has been leased to the Municipal Commission of the Station

NOTIFICATION

No L 5321—C M 49 49 4 dat d 2nd December 1949

In exercise of the powers conferred by Section 439 of the City of Bangalore Municipal Corporation Act, 1949 (LXIX of 1949), the Government of His Highness the Maharaja are pleased to make the following order —

(i) Regulating the procedure for the election of the Mayor or the Deputy Mayor,

(ii) The election of members of Standing Committees and

(iii) The election of Chairmen of Standing Committees until rules in this behalf are made by competent authority in accordance with the provisions of the City of BangaloreMunicipal Corporation Act, 1949

A C NIRVANI GOWDA,
Secretary to Government,
General Department

I Rules for the election of the Mayor or the Deputy Mayor of the Corporation

1 At a meeting of the Corporation held for the purpose of election of the Mayor or Deputy Mayor, any councillor may nominate another councillor for election by delivering to the person presiding at the meeting a nomination paper signed by himself as proposer and a third councillor as seconder, and stating (*a*) the name of the councillor nominated, and (*b*) that the proposer has ascertained that such councillor is willing to serve as Mayor or Deputy Mayor, as the case may be, if elected The names of all the candidates proposed and seconded shall be read out by the person presiding at the meeting and the votes of the councillors present at the meeting shall then be taken by ballot The Commissioner shall make adequate arrangements for securing the privacy of the ballot

2 Every councillor wishing to vote shall be supplied with a voting paper on which the names of all the candidates shall be printed or typed in the following form —

	Name	*Vote*
(1)		
(2)		
(3)		

Each councillor shall then proceed to the place set apart for the purpose and there place a cross mark against the name of the candidate for whom he wishes to vote He shall then fold up the voting paper so as to conceal his vote and deposit the same in a ballot box The ballot box shall be so constructed that the voting paper may be placed therein but not extracted therefrom without the box being opened The person presiding at the meeting shall then open the box and count the votes in the presence of the councillors and declare the result of the election

3 If there is only one duly nominated candidate no ballot shall be necessary and he shall be considered to have been elected, provided that the proposal is carried by a resolution of the corporation at the same meeting If no such resolution is passed, a fresh election shall be held forthwith in accordance with these rules

4 (1) If there are two candidates the one who secures the larger number of votes shall be declared to have been elected If there is an equality of votes between the two candidates, the person presiding at the meeting shall draw lots in the presence of the councillors and the person whose name is first drawn shall be declared to have been elected

(2) If there are more than two candidates the one who obtains the smallest number of votes shall be eliminated and the votes taken again If there is an equality of votes among all the candidates or if two or more candidates last in the list have obtained an equal number of votes, a ballot shall be taken in order to decide which of them shall be eliminated If at such ballot there is an equality of votes, a further ballot shall be taken, and if this further ballot is also indecisive, the person presiding at the meeting shall ascertain by drawing lots in the

presence of the councillors which of the candidates shall be considered to have been eliminated The elimination shall be repeated until two candidates only are left, when votes shall be taken for the last time and the candidate who secures the larger number of votes shall be considered to have been elected If there is an equality of votes at the final stages, between the two remaining candidates, the person presiding at the meeting shall draw lots in the presence of the councillors and the person whose name is first drawn shall be declared to have been elected

5 No candidate shall take part in a ballot, but a candidate may withdraw at any stage and after such withdrawal, he may take part in any ballot Similarly, a candidate who has been eliminated at any stage under sub rule (2) of rule 4 may take part in any ballot at subsequent stages

6 Any voting paper which contains the signature or writing of any of the voting councillors or on which a cross mark is made against more than one name shall be invalid

II Rules for the election of Members of Standing Committees

1 A separate election shall be held for each Stand ing Committee If elections be held at the same meeting of the corporation to fill up vacancies on more than one Standing Committee, the order in which the elections are held shall follow the order in which the Standing Com mittees are mentioned in Section 6 If, however, the election to any Standing Committee is adjourned under rule 5, the elections for the Standing Committee next in order shall be proceeded with

2 The meeting for the election of members of any Standing Committee or Committees shall be presided over by the Mayor, the Deputy Mayor or in the absence of both the Mayor and Deputy Mayor by a councillor not intending to stand as a candidate at the election, or any of the elections, as the case may be, chosen by the meet ing to preside for the occasion

3 Every candidate for election shall be proposed by a councillor and seconded by another councillor A candidate who has been proposed and seconded may withdraw his candidature by making a statement to that effect at the meeting of the corporation The names of all the candidates who have been proposed and seconded and who have not withdrawn their candidature, shall be read out by the Mayor, the Deputy Mayor, or the presiding councillor

4 If the number of candidates whose names are so read out is equal to the number of vacancies, the person presiding at the meeting shall declare all such candidates as duly elected

5 If the number of such candidates is less than the number of vacancies, the Mayor, the Deputy Mayor or the presiding councillor shall declare all such candidates duly elected and shall either call for fresh nominations or adjourn the election to fill up the remaining vacancy or vacancies to the next meeting of the corporation

6 If the number of such candidates exceeds the number of vacancies the votes of the councillors present at the meeting shall be taken by ballot The Commissioner shall make adequate arrangements to secure the privacy of the ballot

7 Every councillor wishing to vote shall be supplied with a voting paper on which the names of all such candidates shall be typed in the following form —

	Name	*Vote*
(1)		
(2)		
(3)		

Each councillor shall then proceed to the place set apart for the purpose and there place a cross mark against the name of the candidate or the names of the candidates for whom he wishes to vote He shall then fold up the voting paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the person presiding at the meeting The ballot box shall be so constructed that the voting paper may be placed therein but not extracted therefrom without the box being opened The person presiding at the meeting shall then

open the box and count the votes in the presence of two councillors (other than candidates) who shall be nomina ted tellers by the person presiding

8 The candidate who obtains the largest number of votes, or if there is more than one vacancy, as many of the candidates at the top of the poll as there are vacancies to be filled, shall be declared to have been duly elected If there be any equality of votes between any two or more candidates and the addition of one vote to any one or more of such candidates will entitle him or them to be declared duly elected the person presiding at the meeting shall decide by drawing lots in the presence of the councillors to which one or more of such candidates such additional vote shall be deemed to have been given

9 Councillors who have been duly proposed and seconded as candidates may also take part in the ballot

10 Any voting paper which contains the signature or writing of any of the voting councillors or on which marks are placed against more candidates than there are vacancies to be filled shall be invalid

III Rules for the election of Chairmen of Standing Committees

1 Every candidate for election as Chairman of a Standing Committee shall be proposed by a councillor and seconded by another councillor at the meeting held for the purpose The names of all the candidates proposed and seconded shall be read out by the Mayor or in his absence by the Deputy Mayor, or in the absence of both the Mayor and the Deputy Mayor by the presiding coun cillor and the votes of the councillors present at the meeting shall then be taken by ballot The Commissioner shall make adequate arrangements for securing the privacy of the ballot

2 Every councillor wishing to vote shall be supplied with a voting paper on which the names of all the candi dates shall be printed or typed in the following form —

	Name	*Vote*
(1)		
(2)		
(3)		

Each councillor shall then proceed to the place set apart for the purpose and there place a cross mark against the name of the candidate for whom he wishes to vote He shall then fold up the voting paper so as to conceal his vote and deposit the same in a ballot box The ballot box shall be so constructed that the voting paper may be placed therein but not extracted therefrom without the box being opened The person presiding at the meeting shall then open the box and count the votes in the presence of the councillors and declare the result of the election

3 If there is only one duly nominated candidate, no ballot shall be necessary and he shall be considered to have been elected provided that the proposal is carried by a resolution of the Standing Committee at the same meeting If no such resolution is passed, a fresh election shall be held forthwith in accordance with these rules

4 (1) If there are two candidates, the one who secures the larger number of votes shall be declared to have been elected If there is an equality of votes between the two candidates, the person presiding at the meeting shall draw lots in the presence of the Standing Committee and the person whose name is first drawn shall be declared to have been elected

(2) If there are more than two candidates the one who obtains the smallest number of votes shall be eliminated and the votes taken again If there is an equality of votes among all the candidates or if two or more candidates last in the list have obtained an equal number of votes, a ballot shall be taken in order to decide which of them shall be eliminated If at such ballot there is an equality of votes a further ballot shall be taken, and if this further ballot is also indecisive, the person presiding at the meeting shall ascertain by drawing lots in the presence of the Standing Committee which of the candidates shall be considered to have been eliminated The elimination shall be repeated until two candidates only are left, when votes shall be taken for the last time and the candidate who secures the larger number of votes shall be considered to have been elected If there is an equality of votes at the final stages between the two remaining candidates, the person presiding shall draw lots

in the presence of the Standing Committee and the person whose name is first drawn shall be declared to have been elected

5 No candidate shall take part in a ballot but a candidate may withdraw at any stage and after such withdrawal he may take part in any ballot Similarly, a candidate who has been eliminated at any stage under sub rule (2) of rule 4 may take part in any ballot at subsequent stages

6 Any voting paper which contains the signature or writing of any of the voting councillors or on which a cross mark is made against more than one name shall be invalid

NOTIFICATION

No L 5322—C M 49 49 5 dated 2nd December 1949

In exercise of the powers conferred by Section 439 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to make the following provisions supplementary to the provisions contained in Schedule II of the said Act, regarding the conduct of proceedings of the Corporation

2 The supplementary provisions shall have effect till provisions in this behalf are made by competent authority in accordance with the provisions of the aforesaid Act

A C NIRVANI GOWDA,
Secretary to Government,
General Department

Rules for the conduct of business at meetings of the Corporation and Standing Committees

Note —Please see also Section 33 of the City of Bangalore Municipal Corporation Act 1949 and Schedule II to the Act

NOTICE

Every notice required under the Act, the rules or the regulations shall be given in writing, addressed to the Mayor, and shall be left at the Mayor's office which shall be open for the purpose between the hours of 11 A M and 5 P M every day except Sundays and Public Holidays Notices left when the office is closed shall be treated as given on the next working day

2 No business requiring notice shall be set down on a day earlier than the period of the necessary notice

3 The Mayor may bring forward any urgent business at any meeting

4 No business, not included in the list of business for the day, shall be transacted at any sitting, except in the form of a motion and without the leave of the Mayor and of the Corporation

5 (i) Not more than one such motion shall be made at the sitting

(ii) Not more than one matter can be discussed on the same motion and the motion must be restricted to a specific matter of recent occurrence

(iii) The motion must not raise discussion on a matter which has been discussed at a meeting of the Corporation during the previous three months

(iv) The motion must not anticipate a matter which has been previously appointed for consideration or with reference to which a notice of motion has been previously given, and

(v) The motion must not deal with a matter on which a resolution could not be moved

6 Leave to make such a motion must be asked for after questions at the first general meeting and at other meetings before the list of business for the day is entered upon

7 The member making such a motion must hand over to the Mayor a written statement containing the motion before 2 P M on the date of meeting but he shall not speak thereon

8 The Mayor if he is of opinion that the motion is in order, shall read the same to the Corporation and ask the Corporation if it gives leave If three fourths of the members present and voting signify their assent, the Mayor shall announce that the motion will be taken up at an hour to be fixed by him

Decorum

9 The members shall sit in such order as the Mayor may appoint Members shall speak only from their places

10 A member, desiring to speak on any matter before the Corporation, shall rise from his place, but shall not speak before the Mayor calls the name of the speaker when he shall address the Mayor At any time the Mayor rises in his seat, any member speaking shall resume his seat

11 The business of the Corporation shall be transacted in English or in Kannada, but any member may address the Corporation in any other language with the permission of the Mayor

Quorum

12 If, after the lapse of 15 minutes from the hour fixed for a meeting no quorum be present, the meeting shall be adjourned to a date and hour to be fixed by the Mayor, if he be present If he be absent, the meeting shall stand adjourned to that day week at the same time and place If there is no quorum for a special meeting, the meeting shall be dissolved provided, however, that if there be no quorum at a special meeting, the Mayor shall have the power to adjourn the meeting to another date

13 If the Mayor, on a count asked for by a member at any time during a sitting ascertains, after directing the bell to be rung for a minute, that the required quorum is not present, he may adjourn the Corporation to such day and hour as he may fix, or dissolve the meeting

The Mayor

14 When the Mayor finds it necessary to temporarily leave the Chair, he may call on the Deputy Mayor, or in the latter s absence some other member to preside

15 The Deputy Mayor or the Presiding Member shall exercise all the powers of the Mayor provided for in these rules

16 The Mayor shall call to order any member who attempts to speak a second time on the same question

17 The Mayor shall rule out of order all matters that do not pertain either to the question before the meeting or to the business then before the meeting

18 The Mayor shall decide all points of order which may arise and his decision shall be final No discussion on the point or points raised shall be allowed

19 Any member may, at any time, submit a point of order for the decision of the Mayor, but in doing so shall confine himself solely to stating the point

20 The Mayor shall preserve order and have all powers necessary for the purpose of enforcing his decision on all points of order

Questions

21 Notice of a question shall be given at least eight clear days before the sitting of the Corporation at which it is to be asked, and a copy of the question shall be submitted with the notice provided that the Mayor may allow a question to be asked with shorter notice than eight days or may extend the time for answering a question Starred questions shall be answered at the next meeting of the Corporation after ten days of receipt of notice of such questions, unless on the application of the Commissioner the Mayor extends the time for the answering of the questions But, in no case, shall any question remain unanswered beyond the next meeting after fifteen days of receipt of the question The Commissioner may, with the permission of the Mayor, answer all interpellations and supplementary questions thereon

22 A question may be asked for the purpose of obtaining information on any matter of fact pertaining to the administration of the City by the Corporation

23 In order that a question may be admissible it must satisfy the following conditions —

(i) It must not publish any name or statement not strictly necessary to make the question intelligible

(ii) If a question contains a statement, the member asking must make himself responsible for the accuracy of the statement

(iii) It must not contain arguments, inferences, ironical expressions or defamatory statements

(iv) It must not ask for the expression of opinion, or the solution of an abstract legal question hypothetical proposition

(v) It may not be asked as to the character or conduct of any person except in his official or public capacity

(vi) It shall not pertain to the individual grievances or complaints of members of the Corporation establishment

(vii) It must not be of excessive length

(viii) A question once fully answered may not be asked again

24 The Mayor may, within the period of notice, disallow any question or any part of a question, on the ground that it relates to a matter which is not primarily the concern of the Corporation and, if he does so, the question or part of the question shall not be placed on the list of questions

25 The Mayor shall decide on the admissibility of a question, and may disallow any question when, in his opinion, it is an abuse of the right of questioning, or is in contravention of these rules or on the ground that it cannot be answered consistently with public interests

26 Questions which have not been disallowed shall be entered in the list of questions for the day, and shall be called, if the time made available for questions permits, in the order in which they stand in the list, before any other business is entered upon at the meeting

27 The first thirty minutes of every ordinary meeting in every month shall be available for the asking and answering of questions

28 Questions not starred will not be called in the Corporation meeting, but they will be typed or printed with their answers and placed on the table along with the list of starred questions

29 Oral supplementary questions will not be allowed in regard to unstarred questions

30 Interpellations shall not be adjourned

Starred Questions

31 Questions for which answers are desired by the members on the floor of the Corporation meeting shall be starred by the members

32 Starred questions shall be put and answers given in the following manner —

(i) The Mayor shall call out the name of each questioner in the order in which the names are typed or printed

(ii) He shall specify the serial number of the question and make a sufficient pause to give him or any other member a reasonable opportunity to rise in his place and put a supplementary question

(iii) Supplementary questions must be put immediately after the principal question to which they relate

33 Any member may put supplementary questions for the purpose of further elucidating any matter of fact regarding which an answer has been given, but the Mayor may disallow any supplementary question, if, in his opinion, it infringes the regulations

34 The Mayor, or the Commissioner with the permission of the Mayor, may decline to answer any supplementary question without notice, in which case a supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council

35 No discussion shall be permitted in respect of any question or of any answer given to a question

36 Not more than twenty starred questions shall be set down for a day Starred questions not answered that day, will lapse

Resolutions

37 Any member may move a resolution relating to a matter concerning the Municipal administration of the City

The Mayor shall decide on the admissibility of a resolution and shall disallow any resolution which, in his opinion contravenes the provisions of the Act or the rules made thereunder, and his decision shall be final Provi ded that if, in the opinion of the Mayor, a resolution relates to a matter, unconnected with the Municipal administration and may lead to an unseemly or communal controversy, he shall refer the resolution to the Govern ment and obtain their orders as to whether it may be admitted

39 Every resolution shall be clearly and precisely expressed and shall raise a definite issue

40 Resolutions shall not contain arguments, infer ences, ironical expressions or defamatory statements, nor shall they refer to the conduct or character of persons except in their official or public capacity

41 Resolutions shall be of an affirmative character and shall commence with the word "That"

42 Notice of resolutions shall be in writing and signed by the mover

43 A member who wishes to move a resolution shall give at least eight clear days notice of his intention and shall, together with the notice, submit a copy of the resolution which he wishes to move, but the Mayor may allow, for reasons to be stated by him, a resolution to be entered on the list of business with shorter notice than eight days

44 The relative precedence of resolutions given notice of by members for being moved at meetings of the Council shall be determined by ballot

45 No member shall be entitled to ballot for more than three resolutions at a time

46 A ballot shall be repeated as often as may be necessary, with reference to the transaction of business

47 The precedence of resolutions as determined by each ballot shall hold good for 30 days after the ballot is held, exclusive of the date on which it is held

48 After the expiry of thirty days, all resolutions already balloted for and not actually moved in the Corporation shall lapse, provided that the resolution which is under the consideration of the Corporation at the time of the adjournment shall be taken up as the first item of business under resolutions at the next meeting of the Corporation

49 Members shall be at liberty to give fresh notice in respect of resolutions which have lapsed

50 Not more than fifteen resolutions according to the order of priority determined by ballot shall be set down for every meeting

51 After a member who moves has spoken, other members may speak on the motion in the order in which they are called by the Mayor

52 A member who has moved a substantive motion may speak again by way of reply When the mover has replied, the question before the House shall forthwith be put without further debate

53 Except in the exercise of a right of reply or as otherwise provided, no member shall speak more than once on any motion, unless it be with the permission of the Mayor, for the purpose of making a personal explanation but in that case no debatable matter may be brought forward

54 A member in whose name a resolution appears on the list of business shall, when called on, either—

(i) move the resolution, or

(ii) withdraw the resolution, in which case he shall confine himself to a mere statement to that effect

55 If the member when called on is absent, the resolution standing in his name shall be considered to have been withdrawn

56 It shall be open to the Corporation to allow a resolution deemed to have been withdrawn to be moved by any other member

57 Priority to a Notice of motion standing in one member s name shall not be granted on the application of another

58 Every resolution which has been moved shall be seconded, otherwise it shall not be discussed, nor shall any question be put on it

59 When the resolution has been moved and seconded, the Mayor shall state or propose a question thereon to the meeting thus "The question is that the motion be agreed to'

60 When a resolution has been rejected, no resolu tion to the same effect can be brought forward before the same meeting

61 A resolution which has been adopted may be reconsidered with the permission of the meeting

62 The motion "that this meeting do now adjourn' shall not be admitted except when the motion contains the time and place of the adjourned meeting, when amendments may be made on the question of time and place or either The motion shall have preference over all motions and this shall be moved and seconded without a speech and shall be put to the meeting without debate

63 When a motion has been amended, the question is put by the Mayor thus "That the motion as amended shall be agreed to"

64 The discussion on a resolution shall be strictly limited to the subject of the resolution

65 When any resolution involving several points has been discussed, it shall be in the discretion of the Mayor to divide the resolution, and put each or any point to the vote separately as he may think fit

66 Routine resolutions, *viz*, recording periodical statements or confirming the proceedings of the Standing Committees, may be put to the meeting by the Mayor without their having been moved or seconded.

67 Motions regarding the choice of a Presiding Councillor, the precedence of certain items of business and adjournments must be seconded, but need not be in writing

68 The Mayor, Deputy Mayor or the Presiding Councillor has the same right of moving or seconding or speaking on a resolution or motion as any other member, but he shall vacate the chair while so engaged, and the chair during such time shall be taken by a member nominated by the Mayor or the Presiding Member Without vacating the chair, the Mayor, Deputy Mayor or Presiding Member may, however, at his discretion or at the request of any member, explain to the meeting the scope of any resolution or amendment

Amendments

69 When a motion is under discussion, any member may, subject to all the rules relating to resolutions, move an amendment to such motion Such amendments shall be given notice of to the Mayor within fifteen minutes after the mover begins his speech on the motion or before the end of the speech of the seconder of the motion, whichever is later

70 Amendments to resolutions given notice of by members and circulated to members in advance, shall be given notice of two days before the meeting at which the resolutions are taken up Such amendments shall be printed or stencilled and circulated to the members before the commencement of the meeting

71 Every amendment must be in writing and signed by the mover and must be seconded, otherwise it shall not be discussed, nor shall any question be put on it

72 An amendment must be relevant to and within the scope of the subject matter of the clause or motion to which it relates

73 An amendment to a motion may be

(*a*) either for striking out words,

(*b*) or for the insertion of words,

(*c*) or for the removal of certain words and substituting of others in their place,

(*d*) or for the addition of words

74 When the amendment is for striking out certain words of the motion or resolution, the Mayor puts the question thus "That the words proposed to be struck out shall not stand part of the motion (or amendment or resolution)"

75 When the amendment is for the insertion or addition of words to the motion or resolution, the Mayor puts the amendment thus "that the words to be inserted or added shall be also inserted or added"

76 When the amendment is for striking out certain words and the insertion of fresh words, the Mayor shall first put the amendment for the striking out of the words in question and then move for the addition of fresh words If the motion for striking out the words in question is not carried, the amendment shall be considered to be lost If the motion for striking out certain words is carried and not the motion for the insertion of fresh words, the motion shall remain with the words struck out, but fresh words may be inserted with the permission of the meeting, on motion

77 In respect of any motion under consideration, the Mayor shall have power to select the amendments in any order

78 After a decision has been given on an amendment to any part of a clause or motion, no amendment which arise at an earlier point of the clause or motion shall be moved

79 An amendment may not be moved which has merely the effect of a negative vote

80 An amendment on a question must not be inconsistent with any previous decision on the same motion

81 The Mayor may refuse to put an amendment which is, in his opinion, frivolous

82 No amendment can be moved towards which, the meeting has resolved, shall stand part of, be inserted in, or be added to a motion but additional words may be added

83 When amendments have been negatived, the original motion is put by the Mayor

84 When amendments have been carried, the original motion, with the amendments incorporated there in shall be put

85 A member who has moved a resolution or an amendment to a resolution shall not withdraw the same except by leave of the Corporation

86 No discussion shall be permitted on a motion for leave to withdraw

87 An amendment which has been rejected cannot be brought forward again

88 Formal corrections rendered necessary by amend ments may be made by the Mayor at the meeting

Division and Poll

89 If any two members request a poll, the Mayor shall call the roll of the members and record the names of the members present at the time their names are called and voting for and against Before a poll is taken, the bell shall be rung for a minute

90 A member wrongly counted in a division may require necessary corrections to be made, but he should raise the objection before the Mayor declares the result of the division

91 When a division has been taken and the numbers voting for and against the resolution are equal, the Mayor shall exercise a casting vote,

92 A member, who had not voted during the first voting by show of hands is taken, can vote in a division or poll

Debate

93 When the Mayor rises from his seat, the member then speaking shall resume his seat

94 When a member is called to order by the Mayor, he shall immediately sit down

95 A member desiring to speak shall rise in his place but if two or more members rise simultaneously to speak, the Mayor shall call the member who first caught his eye to speak first The other members shall immediately resume their seats

96 A motion for adjournment shall have precedence over all other motions This shall be moved and seconded without a speech and shall be put by the Mayor without debate No amendment can be moved to a motion for the adjournment of a debate, unless it relates to the question of the date to which the meeting shall stand adjourned Such a motion can be made at any time so as not to interrupt a speech and without previous notice

97 A motion that the question before the House be referred to a Committee shall also have precedence over all other motions, except a motion for adjournment Such a motion can be made at any time so as not to interrupt a speech and without previous notice

98 A member, while speaking, must not—

(i) comment on any matter on which a judicial decision is pending,

(ii) make a personal charge against a member,

(iii) use offensive expressions about the conduct or proceedings of the Central Legislature or of the Mysore or any Provincial Legislature or of the meeting of the Corporation of Bangalore,

(iv) utter defamatory words, or

(v) use his right of speech for the purpose of obstructing the business of the Corporation

99 A member who has once addressed the meeting on the main question cannot subsequently move or second an amendment thereto or otherwise take part in the debate

100 No member shall speak on a question after the question has been put by the Mayor

101 No member may speak more than once to a motion except the mover who has the right of reply, after the mover s reply, no member can speak on the question If the mover of a motion speaks to an amend ment thereon, he loses his right of reply

102 No speech, except with the permission of the Mayor, shall exceed seven minutes in duration, provided that the mover of a resolution in moving the same may speak for ten minutes

103 Except as provided above, no member shall address the Corporation or put any question or otherwise take part in any debate or speak

Putting the Question

104 After the debate on a question is concluded, the Mayor shall put the question

105 When a question is put to the vote, the Mayor shall call for a show of hands, and the Mayor shall count the hands shown *for* and *against* and declare the result

106 An item of business may be passed over if no motion is proposed in reference thereto

107 A motion that any meeting or item of business be adjourned or that the Corporation pass to the item of business next in order in the statement of business may be moved at any time, and without previous notice as a distinct question, but not so as to interrupt a speech If the motion is carried, the meeting or item of business shall be adjourned accordingly, or if the motion carried be that the Corporation pass to the item of business, next in order in the statement of business, the item of business

then under discussion shall be considered to be disposed of There shall be no speech or debate on these motions

The Closure

108 At any time after a motion has been made and at the end of a speech, any member may move " that the question be now put " and unless it appears to the Mayor that such motion is an abuse of the rules of the Corporation or an infringement of the right of reasonable debate, the question 'that the question be now put shall be put forthwith and decided without amendment or debate Should the motion be carried, the Mayor shall take the sense of the meeting whether the mover be allowed to reply If the mover is so allowed, he shall bring his reply to a close within five minutes After that, or should the reply by the mover be not allowed, the motion or amend ment or amendments under debate shall be at once put

Breaches of Order

109 A member is guilty of breach of order, who—

(*a*) uses objectionable or offensive words and refuses to withdraw them or offer any apology

(*b*) wilfully disturbs the peaceful and orderly conduct of the meeting ,

(*c*) refuses to obey any order from the Chair , or

(*d*) does not resume his seat when the Mayor rises from his chair or when he is called upon to do so by the Mayor

110 Any member may take objection to any offen- sive words

111 A member who objects to offensive words should move " that the words be taken down ' If his motion is agreed to, the Mayor shall direct that the words be taken down, or direct the official reporters to read the words used by the member concerned

112 Objections to offensive words must be taken when the words are used, and not after another member has begun to speak

113 A member whose words have been taken down shall be guilty of a breach of order

114 The Mayor, after having called the attention of the Corporation to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech

115 The Mayor may direct any member, whose conduct is, in his opinion, grossly disorderly, to withdraw immediately from the meeting of the Corporation, and any member so ordered to withdraw shall do so forthwith and absent himself during the remainder of the day's meeting If any member is so directed by the Mayor for second time, the Mayor may further order that the member shall be absent from the meetings of the Corporation for one month

116 The Mayor may, in case of grave disorder arising in the meeting of the Corporation, suspend any sitting for a time to be named by him

Committees of the whole House

117 At a meeting the members may resolve themselves into a Committee to consider any subject which is before the meeting

118 A meeting can resolve itself into a Committee of the whole House on a motion agreed to "That this meeting do now resolve itself into a Committee of the whole House

119 The rules of debate shall be observed in a Committee as far as possible, but in a Committee a motion need not be seconded and a member may speak more than once

120 The decision of the Committee shall be reported to that or to a subsequent meeting for disposal

121 Speeches made in a Committee shall not be reported

122 The Corporation may resolve to hold its meeting at any time, in camera When it so resolves, all visitors including the representatives of the Press shall be excluded from the meeting Speeches made in camera meetings shall not be reported

Select Committees

123 A Select Committee shall consist of not less than three members, of whom one shall be the mover of the motion setting up the Committee

124 (*a*) Whenever any member moves a resolution for the appointment of a Committee of a special nature it shall be incumbent on the mover—

(i) to move that the Committee shall consist of a definite number of members, and

(ii) to draw up a list of as many members as may be thus fixed for constituting the Committee

(*b*) Any other member may move the substitution of any one or more names for one or more of those contained in the list, or draw up a different list and move that it be substituted for the list proposed by the mover of the original proposition

Provided always that if a ballot be demanded by at least two members, the Mayor shall put it to the meeting whether they wish the election to be by ballot, and if this is passed, the Committee shall be elected by ballot Otherwise, the question shall be decided in the usual manner

125 The proceedings of every such Committee shall be recorded in writing and submitted to the Corporation

126 The Mayor shall have power to appoint any member of this Committee as its Convener, if no appointment was made by the Corporation

Appointments of Heads of Departments

127 (*a*) In making appointments under Sections 84 and 85 of the Act, the Corporation shall proceed to make the appointment by the process of eliminating the candidates until an absolute majority of the votes of the members present and voting is secured by one of the candidates

(*b*) Any member present may propose or second any candidate, and the names of all the candidates proposed and seconded shall be ascertained

(*c*) The Mayor shall then ascertain by means of a ballot the votes in favour of each candidate so proposed and seconded, no member being allowed to vote for more than one candidate at a time

(*d*) If at a ballot none of the candidates obtains an absolute majority of the votes aforesaid, the candidate obtaining the least number of votes shall be eliminated and after such elimination a fresh ballot shall be taken

(*e*) The process of elimination shall be cont nued until one of the candidates obtains more than half the votes of the members present and voting

(*f*) The candidates thus obtaining absolute majority shall, by the Mayor, be then declared to be duly selected

128 The Mayor shall have power to regulate the conduct of business in the Corporation in all matters, not provided for in the Act or the Rules

STANDING COMMITTEES

Election of Chairman

129 That at least four clear days notice be given of the meetings of the Standing Committees concerned for the purpose of electing a Chairman

NOTIFICATIONS

No L 5323—C M 49 49 6 dated Bangalore 2nd December 1949

In exercise of the powers conferred by Section 439 read with clause (22) of Section 3 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to order that the principal office of the Corporation shall be at the Mayo Hall, Mahatma Gandhi Road, Bangalore

---

No L 5331—C M 49 49 7 dated Bangalore 3rd December 1949

In exercise of the powers conferred by Section 7 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to appoint Sri George Matthan, B Sc, to be the Commissioner of the Corporation

---

No L 5332—C M 49 49 8 dated Bangalore 3rd December 1949

In exercise of the powers conferred by Section 439 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), read with clause 7 of the Municipal Corporation of the City of Bangalore (Transitional Provisions) Order, 1949, the Government of His Highness the Maharaja are pleased to appoint Dr M R Goverdhan, M B B S, D P H, D T M & H, as the Health Officer of the Corporation

---

No L 5333—C M 49 49 9 dated Bangalore 3rd December 1949

In exercise of the powers conferred by Section 439 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), read with clause 7 of the Municipal Corporation of the City of Bangalore (Transitional Provisions) Order, 1949, the Government of His Highness the Maharaja are pleased to appoint Sri S H Dhanarajan as the Engineer of the Corporation

No L 5834—C M 49 49 10 dated Bangalore 3rd December 1949

In exercise of the powers conferred by Section 148 read with Section 439 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja are pleased to direct that the Auditors appointed under the Mysore City Municipalities Act, 1933, and the Bangalore Municipal Law, 1897 for the Bangalore City Municipality and the Municipal Commission of the Civil Station of Bangalore, respectively, shall be the Auditors in respect of transactions relating to the period ending on the eighth day of December 1949 and that Sri D Venkataramiah, Assistant Comptroller, shall be the Auditor of the accounts of receipt and expenditure of the Municipal Fund for the period commencing from the eighth day of December 1949

A C NIRVANI GOWDA,
Secretary to Government
General Department